

SEVENTIETH DAY

(Saturday, May 27, 1933)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Mr. Speaker.	Jackson.
Adamson.	James.
Aikin.	Johnson
Alexander.	of Anderson.
Alsup.	Jones of Atascosa.
Anderson	Jones of Runnels.
of Johnson.	Jones of Shelby.
Baker.	Kayton.
Barrett.	Kyle of Hays.
Barron.	Kyle of Palo Pinto.
Bedford.	Laird.
Bourne.	Latham.
Bradley.	Leonard.
Burns.	Lindsey.
Camp.	Long.
Canon.	Lotief.
Cathey.	Mackay.
Caven.	Magée.
Celaya.	McClain.
Chastain.	McCullough.
Clayton.	McGregor.
Cowley.	McKee.
Crossley.	Merritt.
Daniel.	Metcalf.
Davidson.	Mitcham.
Dean.	Moffett.
Dunlap.	Moore.
Dunagan.	Morrison.
Engelhard.	Morse.
Fain.	Munson.
Few.	Nicholson.
Ford.	Palmer.
Fuchs.	Parkhouse.
Glass.	Patterson.
Golson.	Pavlica.
Good.	Pope.
Goodman.	Puryear.
Graves.	Ramsey.
Greathouse.	Ratliff.
Griffith.	Ray.
Haag.	Reed of Bowie.
Hankamer.	Reed of Dallas.
Harman.	Renfro.
Harris.	Riddle.
Harrison.	Roberts.
Hartzog.	Rogers of Hunt.
Head.	Rogers
Hester.	of Ochiltree.
Hicks.	Rollins.
Holekamp.	Ross.
Holland.	Russell.
Holloway.	Savage.
Hoskins.	Scarborough.
Huddleston.	Scott.
Hughes.	Shannon.
Hunt.	Stanfield.
Hyder.	Steward.

Stinson.	Van Zandt.
Stovall.	Vaughan.
Tarwater.	Wagstaff.
Tennyson.	Walker.
Thomas.	Wells.
Tillery.	Winningham.
Townsend.	Wood.
Turlington.	Young.

Absent

Beck.	Jefferson.
Butler.	Smith.
Duvall.	

Absent—Excused

Anderson	Hodges.
of Bexar.	Johnson
Calvert.	of Dimmit.
Colson.	Lemens.
Coombes.	Mathis.
Devall.	McDougald.
Dwyer.	Reader.
Fisher.	Shults.
Hill of Brazoria.	Sullivant.
Hill of Webb.	Weinert.

A quorum was announced present.

Prayer was offered by Rev. Geo. W. Coltrin, Chaplain.

LEAVES OF ABSENCE GRANTED .

The following Members were granted leaves of absence on account of important business:

Mr. Davidson for yesterday afternoon, on motion of Mr. Ford.

Mr. Shults for today, on motion of Mr. Roberts.

Mr. Anderson of Johnson for yesterday afternoon, on motion of Mr. Wells.

Mr. Anderson of Bexar for today, on motion of Mr. Holekamp.

Mr. Coombes for today, on motion of Mr. Good.

Mr. Colson for today, on motion of Mr. Davidson.

Mr. Hodges for today, on motion of Mr. Canon.

Mr. Calvert for today, on motion of Mr. Caven.

Mr. Devall for today, on motion of Mr. Johnson of Anderson.

Mr. Weinert for today, on motion of Mr. Parkhouse.

Mr. Sullivant for yesterday and today, on motion of Mr. Van Zandt.

Mr. Dwyer for today, on motion of Mr. Nicholson.

The following Members were granted leaves of absence on account of illness:

Mr. Hill of Brazoria for today and the balance of the Session, on motion of Mr. Morse.

Mr. McDougald for today, on motion of Mr. Parkhouse.

Mr. Stanfield for today, on motion of Mr. Scarborough.

HOUSE BILLS ON FIRST READING

Mr. Laird moved to introduce, at this time, and have placed on first reading, the following bill:

The motion prevailed by the following vote:

Yeas—91

Adamson.	Jones of Shelby.
Aikin.	Kayton.
Alexander.	Kyle of Hays.
Alsup.	Latham.
Anderson	Leonard.
of Johnson.	Lindsey.
Baker.	Lotief.
Barrett.	Mackay.
Barron.	Magee.
Bourne.	McClain.
Bradley.	Merritt.
Burns.	Metcalfe.
Camp.	Mitcham.
Canon.	Moore.
Caven.	Morrison.
Celaya.	Morse.
Chastain.	Munson.
Cowley.	Palmer.
Crossley.	Patterson.
Daniel.	Pavlica.
Davidson.	Puryear.
Dean.	Ratliff.
Dunagan.	Ray.
Engelhard.	Renfro.
Ford.	Riddle.
Fuchs.	Roberts.
Glass.	Rogers of Hunt.
Golson.	Rollins.
Goodman.	Ross.
Griffith.	Russell.
Haag.	Savage.
Hankamer.	Scarborough.
Harris.	Scott.
Hartzog.	Shannon.
Head.	Steward.
Hester.	Stinson.
Hicks.	Stovall.
Holekamp.	Tarwater.
Holland.	Thomas.
Holloway.	Tillery.
Hoskins.	Townsend.
Huddleston.	Van Zandt.
Hughes.	Wagstaff.
James.	Walker.
Johnson	Wells.
of Anderson.	Wood.
Jones of Runnels.	

Nays—8

Fain. Good.

Nicholson.	Reed of Dallas.
Parkhouse.	Vaughan.
Reed of Bowie.	Winningham.

Present—Not Voting

Mr. Speaker.

Absent

Beck.	Jones of Atascosa.
Bedford.	Kyle of Palo Pinto.
Butler.	Laird.
Cathey.	Long.
Clayton.	McCullough.
Dunlap.	McGregor.
Duvall.	McKee.
Few.	Moffett.
Graves.	Pope.
Greathouse.	Ramsey.
Harman.	Rogers
Harrison.	of Ochiltree.
Hunt.	Smith.
Hyder.	Tennyson.
Jackson.	Turlington.
Jefferson.	Young.

Absent—Excused

Anderson	Johnson
of Bexar.	of Dimmit.
Calvert.	Lemens.
Colson.	Mathis.
Coombes.	McDougald.
Devall.	Reader.
Dwyer.	Shults.
Fisher.	Stanfield.
Hill of Brazoria.	Sullivant.
Hill of Webb.	Weinert.
Hodges.	

The Speaker laid the bill before the House; it was read first time, and referred to the appropriate committee, as follows:

By Mr. Laird:

H. B. No. 955, A bill to be entitled "An Act providing for the relief of the Salem Common School District No. 14, in Angelina County, in order to aid the school district in rebuilding and repairing its school building which was damaged by the hurricane which covered the territory in which this district is located, on March 30, 1933; making an appropriation of eight hundred dollars (\$800) to said district for said purposes; and declaring an emergency."

Referred to Committee on Appropriations.

Mr. Wagstaff moved to introduce, at this time, and have placed on first reading, the following bill:

The motion prevailed by the following vote:

Yeas—106

Adamson.	Latham.
Aikin.	Leonard.
Alexander.	Lindsey.
Alsup.	Long.
Anderson	Lotief.
of Johnson.	Mackay.
Baker.	Magee.
Barrett.	McClain.
Barron.	McCullough.
Bedford.	McKee.
Bourne.	Merritt.
Burns.	Metcalfe.
Canon.	Mitcham.
Cathey.	Moffett.
Caven.	Moore.
Celaya.	Morrison.
Chastain.	Morse.
Cowley.	Munson.
Crossley.	Nicholson.
Daniel.	Parkhouse.
Dean.	Patterson.
Dunagan.	Pavlica.
Engelhard.	Pope.
Fain.	Puryear.
Few.	Ramsey.
Ford.	Ratliff.
Fuchs.	Ray.
Glass.	Reed of Bowie.
Golson.	Reed of Dallas.
Good.	Renfro.
Goodman.	Riddle.
Graves.	Roberts.
Greathouse.	Rogers of Hunt.
Griffith.	Rollins.
Haag.	Ross.
Hankamer.	Russell.
Harris.	Savage.
Hartzog.	Scarborough.
Head.	Scott.
Hester.	Shannon.
Hicks.	Smith.
Holekamp.	Stanfield.
Holland.	Steward.
Holloway.	Stinson.
Hoskins.	Stovall.
Huddleston.	Tarwater.
Hughes.	Thomas.
James.	Townsend.
Johnson	Van Zandt.
of Anderson.	Wagstaff.
Jones of Runnels.	Walker.
Jones of Shelby.	Wells.
Kayton.	Wood.
Kyle of Hays.	Young.

Nays—2

Vaughan.	Winningham.
----------	-------------

Absent

Beck.	Davidson.
Bradley.	Dunlap.
Butler.	Duvall.
Camp.	Harman.
Clayton.	Harrison.

Hunt.	McGregor.
Hyder.	Palmer.
Jackson.	Rogers
Jefferson.	of Ochiltree.
Jones of Atascosa.	Tennyson.
Kyle of Palo Pinto.	Tillery.
Laird.	Turlington.

Absent—Excused

Anderson	Hodges.
of Bexar.	Johnson
Calvert.	of Dimmit.
Colson.	Lemens.
Coombes.	Mathis.
Devall.	McDougald.
Dwyer.	Reader.
Fisher.	Shults.
Hill of Brazoria.	Sullivant.
Hill of Webb.	Weinert.

The Speaker laid the bill before the House; it was read first time, and referred to the appropriate committee, as follows:

By Mr. Wagstaff:

H. B. No. 956, A bill to be entitled "An Act amending Article 322, of the 1925 Revised Civil Statutes of Texas, same being Acts of 1927, Fortieth Legislature, page 222, Chapter 151, by omitting the word "fortieth," which same is the Fortieth Judicial District of Ellis County, Texas; declaring that it is the intent of this Act to affect only the Fortieth District and not to affect any other districts; declaring the intent of the Legislature in the passage of House Bill No. 411, Regular Session of the Forty-third Legislature, to have been to affect only the Fortieth District; and declaring an emergency."

Referred to Committee on Judicial Districts.

MESSAGE FROM THE GOVERNOR

The Speaker laid before the House, and had read, the following message from the Governor:

Executive Office,
Austin, Texas, May 27, 1933.

To the House of Representatives:

Senate Bill No. 370 has been passed and is before you for consideration. This bill has for its purpose the creation of corporations for the building of houses in Texas—city and country—for those who are not able to make financial arrangements for such purpose. I know of no relief more urgently demanded than that

provided for in this bill. In fact, Texas is out of doors so far as housing is concerned.

Representatives of the Reconstruction Finance Corporation have been assisting in the preparation of this bill, and they advise that this bill will meet with the approval of the Reconstruction Finance Corporation.

This being the case, and the need of housing being so imperative, I suggest that you give the matter your earnest consideration before adjournment, and I trust that the bill may receive your approval.

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

BILL ORDERED PRINTED

On motion of Mrs. Hughes, Senate Bill No. 370, reported adversely, with a minority favorable report, was ordered printed.

BILLS ORDERED NOT PRINTED

On motion of Mr. Leonard, House Bill No. 954 was ordered not printed.

On motion of Mr. Celaya, Senate Bill No. 546 was ordered not printed.

MOTION TO PRINT SENATE BILL NO. 491 ON MINORITY REPORT

Mr. Savage moved that Senate Bill No. 491, reported adversely, with a minority favorable report, be printed. The motion was lost.

REQUEST OF SENATE GRANTED

On motion of Mr. Good the House granted the request of the Senate for the appointment of a conference committee on Senate Bill No. 338.

In accordance with the above action the Speaker announced the appointment of the following committee: Messrs. Good, Fuchs, Renfro, Vaughan, and Latham.

PROVIDING FOR ADJOURNMENT SINE DIE

Mr. Goodman moved to take up, for consideration at this time,

S. C. R. No. 71, Providing for adjournment sine die;

The resolution having heretofore been read second time, and laid on the table subject to call, and due notice having been given that same would be called up today.

The motion prevailed.

The Speaker laid the resolution before the House.

Mr. Engelhard offered the following amendment to the resolution:

Amend Senate Concurrent Resolution No. 71, by striking out the words "Tuesday, May 30," and inserting in lieu thereof "Saturday, June 3."

Mr. Wagstaff offered the following substitute for the amendment by Mr. Engelhard:

Substitute for amendment by changing date of sine die adjournment to "6 p. m. Thursday, June 1, 1933."

WAGSTAFF,
METCALFE.

Mr. Dunagan moved the previous question on the pending amendments and the resolution, and the main question was ordered.

Question first recurring on the substitute amendment by Mr. Wagstaff, yeas and nays were demanded.

The substitute amendment was lost by the following vote:

Yeas—29

Alexander.	Moffett.
Alsup.	Pavlica.
Baker.	Puryear.
Bedford.	Ratliff.
Chastain.	Rogers of Hunt.
Dean.	Savage.
Goodman.	Shannon.
Greathouse.	Steward.
Holland.	Stinson.
Huddleston.	Tarwater.
Hyder.	Turlington.
Jones of Shelby.	Vaughan.
Kayton.	Wagstaff.
Long.	Walker.
Metcalfe.	

Nays—87

Adamson.	Davidson.
Aikin.	Dunagan.
Anderson	Engelhard.
of Johnson.	Fain.
Barrett.	Few.
Barron.	Ford.
Bourne.	Fuchs.
Bradley.	Glass.
Burns.	Golson.
Canon.	Good.
Cathey.	Graves.
Caven.	Griffith.
Celaya.	Haag.
Clayton.	Hankamer.
Colson.	Harris.
Cowley.	Harrison.
Crossley.	Head.
Daniel.	Hester.

Hicks.	Munson.
Holekamp.	Nicholson.
Holloway.	Palmer.
Hoskins.	Parkhouse.
Hunt.	Patterson.
Jackson.	Pope.
James.	Ramsey.
Johnson	Ray.
of Anderson.	Reed of Bowie.
Jones of Atascosa.	Reed of Dallas.
Jones of Runnels.	Renfro.
Kyle of Hays.	Roberts.
Kyle of Palo Pinto.	Rogers
Laird.	of Ochiltree.
Latham.	Rollins.
Leonard.	Ross.
Lindsey.	Russell.
Lotief.	Scarborough.
Mackay.	Stovall.
Magee.	Thomas.
McClain.	Tillery.
McCullough.	Townsend.
McGregor.	Van Zandt.
Merritt.	Wells.
Mitcham.	Winningham.
Moore.	Wood.
Morse.	Young.

Absent

Beck.	Jefferson.
Butler.	McKee.
Camp.	Morrison.
Dunlap.	Riddle.
Duvall.	Scott.
Harman.	Smith.
Hartzog.	Tennyson.
Hughes.	

Absent—Excused

Anderson	Johnson
of Bexar.	of Dimmit.
Calvert.	Lemens.
Coombes.	Mathis.
Devall.	McDougald.
Dwyer.	Reader.
Fisher.	Shults.
Hill of Brazoria.	Stanfield.
Hill of Webb.	Sullivant.
Hodges.	Weinert.

Question then recurring on the amendment by Mr. Engelhard, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—74

Adamson.	Canon.
Aikin.	Cathey.
Anderson	Caven.
of Johnson.	Celaya.
Baker.	Chastain.
Barrett.	Clayton.
Barron.	Colson.
Bradley.	Daniel.

Davidson.	Jones of Shelby.
Dunagan.	Laird.
Engelhard.	Leonard.
Few.	Long.
Ford.	Lotief.
Fuchs.	Mackay.
Golson.	McClain.
Good.	McCullough.
Goodman.	McGregor.
Graves.	McKee.
Greathouse.	Mitcham.
Griffith.	Palmer.
Haag.	Parkhouse.
Hankamer.	Pope.
Harris.	Puryear.
Hartzog.	Ray.
Head.	Roberts.
Hester.	Rogers of Hunt.
Holekamp.	Rogers of Ochiltree.
Holland.	Rollins.
Holloway.	Ross.
Hoskins.	Russell.
Huddleston.	Stinson.
Hunt.	Stovall.
Jackson.	Tennyson.
James.	Thomas.
Johnson	Townsend.
of Anderson.	Turlington.
Jones of Atascosa.	Van Zandt.
Jones of Runnels.	Young.

Nays—47

Alexander.	Morrison.
Alsup.	Morse.
Bedford.	Munson.
Bourne.	Nicholson.
Burns.	Patterson.
Cowley.	Pavlica.
Crossley.	Ramsey.
Dean.	Ratliff.
Fain.	Reed of Bowie.
Glass.	Reed of Dallas.
Harrison.	Renfro.
Hicks.	Savage.
Hughes.	Scarborough.
Hyder.	Shannon.
Kayton.	Steward.
Kyle of Hays.	Tarwater.
Kyle of Palo Pinto.	Tillery.
Latham.	Vaughan.
Lindsey.	Wagstaff.
Magee.	Walker.
Merritt.	Wells.
Metcalfe.	Winningham.
Moffett.	Wood.
Moore.	

Absent

Beck.	Harman.
Butler.	Jefferson.
Camp.	Riddle.
Dunlap.	Scott.
Duvall.	Smith.

Absent—Excused

Anderson	Calvert.
of Bexar.	Coombes.

Devall.	Lemens.
Dwyer.	Mathis.
Fisher.	McDougald.
Hill of Brazoria.	Reader.
Hill of Webb.	Shults.
Hodges.	Stanfield.
Johnson	Sullivant.
of Dimmit.	Weinert.

The resolution as amended was then adopted.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, May 27, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has granted the request of the House for a conference committee on House Bill No. 919. The following have been appointed on the part of the Senate: Senators Holbrook, Duggan, Parr, Purl, and Sanderford.

The Senate has passed

S. B. No. 565, A bill to be entitled "An Act relating to the duties of the county board of trustees of public schools of this State in all counties having an area of not more than three thousand eight hundred (3,800) square miles and not less than three thousand six hundred (3,600) square miles and a population of not less than nine thousand and eight hundred (9,800), and not more than twelve thousand, according to the 1930 Federal Census; authorizing them to condemn land for school purposes; to subdivide their respective counties into convenient school districts; to increase or reduce the area of independent and common school districts; create additional districts; consolidate two or more adjacent districts; subdivide any districts; revise or rearrange the boundaries of any district; and repealing all laws, general or special, in conflict therewith; and declaring an emergency."

H. B. No. 666, A bill to be entitled "An Act providing relief for the Agricultural and Mechanical College Substation No. 3, located in Brazoria County, Texas, in order to add necessary repairs, and reconstruct all property and equipment destroyed by the great hurricane which swept over the vicinity of said Substation on August 13, 1932; making an appro-

priation to said Agricultural and Mechanical College Substation No. 3, for said purposes, and declaring an emergency."

H. B. No. 896, A bill to be entitled "An Act amending Article 7005, of the Revised Civil Statutes, as amended by Acts of 1931, Forty-second Legislature, page 852, Chapter 360, paragraph 1, including the County of Matagorda, as one of the Counties exempt from the provisions of Title 121, from all laws regulating the inspection of hides and animals." (With amendments.)

S. B. No. 413, A bill to be entitled "An Act regulating and fixing the rights of parties to contracts or conveyances executed by persons at the time who are of unsound mind or otherwise incompetent, where no adjudication of incompetency has been made by a court of competent jurisdiction, and, also, where such adjudication has been made but no lawful guardian of the estate of such incompetent has been appointed; providing for the filing in the deed records of each county where such incompetent owns or has any interest in or lien upon land; and declaring an emergency."

H. B. No. 920, A bill to be entitled "An Act to prohibit the use of a steel trap for taking fur-bearing animals or the setting of any steel trap in San Augustine and Sabine Counties, with certain exceptions; providing a penalty; repealing all laws in conflict therewith, and declaring an emergency."

H. B. No. 50, A bill to be entitled "An Act defining the offense of embezzlement by directors, officers, agents, and attorneys at law or in fact, of incorporated companies or institutions, joint stock companies, or voluntary associations, or money, or property belonging to persons, firms, and corporations, other than the principal or employer of such director, etc., and declaring an emergency."

H. B. No. 949, A bill to be entitled "An Act amending Article 7105, Revised Civil Statutes, 1925, and the amendment thereto contained in Section 12, of House Bill No. 154, Acts of the Forty-third Legislature, and Articles 7107 and 7111, Revised Civil Statutes, 1925, so as to include within the provisions of said Articles,

which impose intangible assets tax upon certain persons, associations, and corporations, oil pipe-line companies, gas pipe-line companies, and common carrier pipe-line companies of every character whatsoever engaged in the transportation of oil and/or gas, doing business wholly or in part within this State, and declaring an emergency." (With amendments.)

The Senate has concurred in House amendments to Senate Bill No. 532 by the following vote: Yeas, 21; nays, 3.

Respectfully,
BOB BARKER,
Secretary of the Senate.

BILL RE-COMMITTED

Mr. Baker moved that Senate Bill No. 546 be re-committed to the Committee on Conservation and Reclamation.

The motion prevailed.

CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 412

Mr. Alexander submitted the following conference committee report on Senate Bill No. 412:

Committee Room,
Austin, Texas, May 25, 1933.

Hon. Edgar E. Witt, President of the Senate, and Hon. Coke Stevenson, Speaker of the House of Representatives.

Sirs: We, your conferees, heretofore appointed to adjust the differences between the two Houses on

S. B. No. 412, A bill to be entitled "An Act for the purpose of strengthening and providing for a stronger and more efficient administration and enforcement of all inheritance, occupation, gross receipts, gross production taxes, gross premium taxes on insurance companies, gasoline, excise, sales, and all other State taxes, including intangible, and all character of delinquent State taxes other than ad valorem taxes on property; providing for an appropriation for the use of the State Tax Board and the State Tax Commissioner, for the purpose of assisting in the enforcement and collection of such taxes, particularly delinquent taxes, other than ad valorem taxes on property; amending Article 7076, Chapter 2, Title 122, of the Revised Civil Statutes,

1925, so as to confer additional powers and authority upon the State Tax Board and the State Tax Commissioner in the collection of delinquent taxes; providing for the employment of necessary auditors, clerks, tax supervisors, and attorneys by the State Tax Board, to assist and aid in the collection and enforcement of all State taxes and tax laws, other than ad valorem; authorizing the State Tax Commissioner to request and receive assistance from the Attorney General and the heads and employees of all departments of the State Government, to aid in the speedy recovery of taxes and penalties due the State under the provisions hereof; fixing venue and jurisdiction of all suits in the courts of Travis County; authorizing the forfeiture of charters of corporations for failure to comply with the provisions hereof, and prohibiting the use of certain information as a result of examination of books and records of such corporations except for the purpose of some judicial proceeding for the collection of delinquent taxes where the State of Texas is a party; providing for an additional appropriation to pay the salary of the State Tax Commissioner and the salaries of employees of the State Tax Board; providing that all powers and authority, now possessed by existing officers and agencies of the State Government for the collection of delinquent taxes, shall, in addition, be conferred upon the State Tax Board, as far as the same may be applicable; providing that the State Tax Commissioner shall be the chief administrative officer of the Act, as far as delinquent taxes are concerned, and shall have exclusive power and authority to employ such clerks and other personnel as may be necessary for the proper and efficient prosecution of delinquent tax suits, and all other actions which may arise hereunder; amending Chapter 5, of Title 122, of the Revised Civil Statutes, 1925, by adding Chapter 5-a to said Title, and providing for the strengthening of inheritance tax laws, and for an inheritance tax to be levied on every taxable estate equal to the difference between the tax due this State and eighty (80) per cent of the total sum due the United States Government under the Revenue Act of 1926; providing that said tax shall be a lien upon the entire estate of deceased but may be apportioned and collected on

each share; providing that no tax is due if eighty (80) per cent of Federal estate tax under Revenue Act of 1926 is equal to or more than tax due the State; providing that where no tax is due the State and a tax is due the Federal Government, that a tax equal to eighty (80) per cent of tax due the Federal Government be assessed; providing for method of determining what eighty (80) per cent of Federal Government tax is; providing for the filing by those required to file inheritance tax reports, of reports showing valuations as determined by Federal Government; providing for notice of additional assessments, time of payment, and penalties, and methods of collection and enforcement; providing for county clerks or probate clerks to file notice with Comptroller showing certain information and providing penalties for failure to so do; providing for filing of reports of values ascertained by Federal Government and the use to be made of it by the Comptroller, and providing for refunding where tax originally paid is in excess of revised tax; providing for penalties for failure to file reports required, and providing for Comptroller to co-operate with Federal Government; providing a method of calculating inheritance taxes on non-resident estates and resident estates; providing for deposit companies, trust companies, corporations, banks, or other institutions or person, or persons, from delivering property of decedents, in their possession after decedent's death, to any person except by order of the county judge, or in presence of Comptroller or his agent, and providing penalties for failure to comply; amending Articles 7141, 7142, and 7122, Chapter 5, Title 122, Revised Civil Statutes, 1925, in order to tax property within the State, going to persons not related to the decedent; repealing Article 7140, Chapter 5, Title 122, Revised Civil Statutes, 1925; providing that in the event any word, sentence, clause, paragraph, section, part, or parts of this Act shall, for any reason, be held invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect or impair any remaining word, sentence, clause, paragraph, section, part, or parts not so held invalid or unconstitutional; repealing all laws and parts of laws in conflict herewith; and declaring an emergency,"

Having considered the differences between the two Houses, and having reached an agreement, beg leave to report that the hereto attached completed bill is the bill which we recommend to be passed by both Houses.

We recommend the adoption of this report and the final passage by both Houses of the attached bill:

"S. B. No. 412,

A BILL

To Be Entitled

An Act for the purpose of strengthening and providing for a stronger and more efficient administration and enforcement of all inheritance, occupation, gross receipts, gross production taxes, gross premiums taxes on insurance companies, gasoline, excise, sales, and all other State taxes, including intangible, and all character of delinquent State taxes other than ad valorem taxes on property; providing for an appropriation for the use of the State Tax Board and the State Tax Commissioner, for the purpose of assisting in the enforcement and collection of such taxes, particularly delinquent taxes, other than ad valorem taxes on property; amending Article 7076, Chapter 2, Title 122, of the Revised Civil Statutes, 1925, so as to confer additional powers and authority upon the State Tax Board and the State Tax Commissioner in the collection of delinquent taxes; providing for the employment of necessary auditors, clerks, tax supervisors, and attorneys by the State Tax Board, to assist and aid in the collection and enforcement of all State taxes and tax laws, other than ad valorem; authorizing the State Tax Commissioner to request and receive assistance from the Attorney General and the heads and employees of all departments of the State Government, to aid in the speedy recovery of taxes and penalties due the State under the provisions hereof; fixing venue and jurisdiction of all suits in the courts of Travis County; authorizing the forfeiture of charters of corporations for failure to comply with the provisions hereof, and prohibiting the use of certain information as a result of examinations of books and records of such corporations except for the purpose of

some judicial proceeding for the collection of delinquent taxes where the State of Texas is a party; providing for an additional appropriation to pay the salary of the State Tax Commissioner and the salaries of employees of the State Tax Board; providing that all powers and authority now possessed by existing officers and agencies of the State Government for the collection of delinquent taxes, shall, in addition, be conferred upon the State Tax Board, as far as the same may be applicable; providing that the State Tax Commissioner shall be the chief administrative officer of the Act, and shall have exclusive power and authority to employ such clerks and other personnel as may be necessary for the proper and efficient prosecution of delinquent tax suits and all other actions which may arise hereunder; amending Chapter 5, of Title 122, of the Revised Civil Statutes, 1925, by adding Chapter 5-a to said Title, and providing for the strengthening of inheritance tax laws, and for an inheritance tax to be levied on every taxable estate equal to the difference between the tax due this State and eighty (80) per cent of the total sum due the United States Government under the Revenue Act of 1926; providing that said tax shall be a lien upon the entire estate of deceased but may be apportioned and collected on each share; providing that no tax is due if eighty (80) per cent of Federal estate tax under Revenue Act of 1926 is equal to or more than tax due the State; providing that where no tax is due the State and a tax is due the Federal Government that a tax equal to eighty (80) per cent of tax due the Federal Government be assessed; providing for method of determining what eighty (80) per cent of Federal Government tax is; providing for the filing by those required to file inheritance tax reports, of reports showing valuations as determined by Federal Government; providing for notice of additional assessments, time of payment and penalties, and methods of collection and enforcement; providing for county clerks or probate clerks to file notice with Comptroller showing certain information and providing penalties for

failure to so do; providing for filing of reports of values ascertained by the Federal Government and the use to be made of it by the Comptroller, and providing for refunding where tax originally paid is in excess of revised tax; providing for penalties for failure to file reports required, and providing for Comptroller to co-operate with Federal Government; providing a method of calculating inheritance taxes on non-resident estates and resident estates; providing for deposit companies, trust companies, corporations, banks, or other institutions or person or persons from delivering property of decedents, in their possession after decedent's death to any person except by order of county judge or in presence of Comptroller or his agent, and providing penalties for failure to comply; amending Articles 7141, 7142, and 7122, Chapter 5, Title 122, Revised Civil Statutes, 1925, in order to tax property within the State, going to persons not related to the decedent; repealing Article 7140, Chapter 5, Title 122, Revised Civil Statutes, 1925; providing that in the event any word, sentence, clause, paragraph, section, part, or parts of this Act shall for any reason be held invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect or impair any remaining word, sentence, clause, paragraph, section, part, or parts not so held invalid or unconstitutional; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 7076, Chapter 2, Title 122, of the Revised Civil Statutes of Texas, 1925, be, and the same is hereby, amended so as to hereafter read as follows:

"Article 7076. The penalties provided for by this Chapter shall be recovered by the Attorney General in a suit brought by him in the name of the State of Texas; and it is further provided that should any taxes or penalties provided for by this Chapter be found at any time to be delinquent, the State Tax Board, consisting of the Comptroller of Public Accounts, the Secretary of State, and the State

Tax Commissioner shall be authorized to bring suit for the recovery of same in the name of the State of Texas. The State Tax Commissioner is hereby authorized to appoint and employ investigators, attorneys, auditors, and/or other assistants as may be necessary to carry out the provisions of this Act as said State Tax Commissioner may deem advisable; providing further, that in no event shall said State Tax Board or the State Tax Commissioner make any contract of employment for the collection of delinquent taxes on a contingent fee basis. The State Tax Commissioner is further authorized to request and receive the assistance of the Attorney General and the heads and employes of all other departments of the State Government to aid in the speedy recovery of such money or penalties due the State under the terms of this Chapter; and it shall be the duty of the Comptroller of Public Accounts, the Secretary of State, and other officials and heads of all State departments and agencies of the State Government, which are now, or may be charged with the administration and collection of State taxes and license fees, to certify to the State Tax Commissioner, within 30 days after any State taxes or license fees become delinquent, the fact of such delinquency; and the State Tax Commissioner or his authorized representative shall have full and complete authority to investigate, inquire into, and examine the records of the various departments of the State Government charged with the collection of State taxes or license fees, for the purpose of ascertaining whether delinquencies in the payment of State taxes and license fees exist. The venue and jurisdiction of all suits arising hereunder is hereby conferred upon the courts of Travis County. It is further provided that for the purpose of carrying out the terms of this Act said State Tax Commissioner and said State Tax Board shall have the authority to examine at the principal or any other office in the United States of any person, firm, agent, or corporation permitted to do business in this State, all books, records, and papers and also any officers or employes thereof, under oath, and failure or refusal of any person, firm, agent, or corporation to permit such examination shall, upon certification of such refusal by the State Tax Com-

missioner to the Secretary of State, immediately forfeit the charter or permit to do business in this State until such examination as is required to be made is completed. The State Tax Board or any authorized agent thereof shall not make public or use said information derived in the course of said examination of said books, records, and papers, and/or officers, or employes except for the purpose of said judicial proceeding for the collection of delinquent taxes in which the State of Texas is a party."

Sec. 2. It is further specifically provided that all of the provisions of this Act shall apply and be applicable to all delinquent State taxes due and owing to the State of Texas, of every kind and charter whatsoever, including all franchise, occupation, gross receipts, gross production, gross premiums tax on insurance companies, inheritance, gasoline, excise, and all other State taxes which become delinquent other than State ad valorem taxes on property. It is hereby declared to be one of the purposes hereof to impose upon the State Tax Board the additional duty of collecting and aiding in the collection of all delinquent taxes enumerated and referred to herein, and all laws now applicable to the collection of such delinquent taxes, and all powers and authority now possessed by existing officers and agencies of the State Government are hereby, in addition, conferred upon said State Tax Board, as far as the same may be applicable, but this provision shall not in any manner lessen, transfer, interfere with or impair the rights or duties of existing agencies of government to collect such delinquent taxes; provided further, that said State Tax Commissioner shall, after the passage hereof, be the chief administrative officer of this Act, and said State Tax Commissioner shall have full and exclusive power and authority to employ such clerical personnel as may be necessary for the proper and efficient prosecution of delinquent tax suits, and all actions which may arise hereunder, which shall be in addition to such assistance as may be required by the State Tax Board or the State Tax Commissioner from the Attorney General of Texas, and the State Board of Control shall provide said State Tax Board with proper and sufficient office space and quarters.

Sec. 2-a. That the following sums of money, or as much thereof as may be necessary, be, and the same are hereby, appropriated out of any money in the State Treasury, not otherwise appropriated, for the support and maintenance of the State Tax Commissioner's Office for the two-year period beginning September 1, 1933, and ending August 31, 1935; provided that each and every employe of such office shall be paid by voucher issued in his or her name. Said voucher shall state the amount of salary or sum due and for what service performed with the date and time of such service, and no money

or moneys shall be paid except upon presentation of said voucher or vouchers, endorsed by the payee; and provided further that if any amount herein fixed for any particular purpose be not used for such purpose, in whole or in part, the unused portion of such amount shall be returned to or left in the State Treasury; and provided further that no person for whom any salary is herein fixed shall be allowed to draw more than the amount of such salary from any other salary or amount herein fixed or from any State fund or funds under the control of the State Tax Commissioner referred to herein.

THE STATE TAX BOARD

Salaries of:	For the Years Ending	
	August 31, 1934	August 31, 1935
Additional compensation to Tax Commissioner, not to exceed \$225 per month.....\$	2,700.00	\$ 2,700.00
One chief delinquent and intangible tax attorney, not to exceed \$335 per month.....	4,020.00	4,020.00
Two Assistant Attorneys General to be assigned by the Attorney General to the State Tax Board for the exclusive purpose of enforcing the provisions of this Act and the filing and prosecution of suits arising hereunder, who shall give their entire time to the legal duties required to be performed by said State Tax Board, none to exceed \$250 per month.....	6,000.00	6 000.00
One chief auditor for the State Tax Board, not to exceed \$300 per month.....	3,600.00	3,600.00
One chief delinquent and intangible tax supervisor, not to exceed \$200 per month.....	2,400.00	2,400.00
One traveling auditor, and one investigator, not to exceed \$200 per month, each.....	4,800.00	4,800.00
Two auditors, not to exceed \$150 per month, each	3,600.00	3,600.00
Four stenographers and clerks, basis \$100 per month, none to exceed \$110.....	4,800.00	4,800.00
Traveling expenses	8,400.00	8,400.00
Stationery, supplies, office equipment, furniture, general maintenance, and contingent expense, including salaries of additional employes, not to exceed the salaries as set out above in each classification, and bond premiums on all employes and State Tax Commissioner.....	10,000.00	10,000.00
Total.....\$	50,320.00	\$ 50,320.00

Sec. 2-b. Sec. 1. In addition to the inheritance tax already levied by this State under existing laws, an inheritance and transfer tax is hereby levied upon the net estate of every decedent dying after this Act shall take effect, and whose estate, or any portion thereof, is, or hereafter shall be, made taxable under the inheritance tax laws of this State, or that may be subject to such taxes under any law of this State that may be hereafter enacted. Said tax shall be, and is, levied upon the entire net value of the taxable estate of the decedent situated and taxable in the State of Texas, and the tax on each such estate shall be equal to the difference between the sum of such taxes due this State as inheritance or transfer taxes and eighty (80) per cent of the total sum of the estate and transfer taxes imposed on such estate by the United States Government under the Revenue Act of 1926, by reason of the property of such estate which is situated in this State and taxable under the laws of this State.

Sec. 2. The additional tax aforesaid shall be a lien upon the entire estate of the deceased and collectible out of said entire estate, or any part thereof, regardless of exemptions and deductions; and, in event two (2) or more persons succeed to or become the owners of taxable interests in such estate, and in event inheritance or transfer taxes are assessed under the law against portions thereof or interests therein severally, then said additional tax levied and collected under this Act shall be apportioned between or among such part owners in proportion to the amount of the tax assessed against each share or interest in said estate.

Sec. 3. In the event the amount of inheritance and transfer taxes assessed against any certain estate under the inheritance tax laws of this State shall equal or exceed eighty (80) per cent of the estate or transfer taxes assessed and computed by the United States under the Revenue Act of 1926, against said estate or property belonging thereto and situated within the State of Texas, then no additional taxes shall be collected hereunder, it being the purpose and intention of this Act to collect only a sufficient additional tax,

when necessary, for the State to get the full benefit of the eighty (80) per cent credit to the States provided for by Section 301, Chapter 27, of the Federal Revenue Act of 1926.

Sec. 4. Where no inheritance tax is imposed on an estate, which is situated in this State, under the laws of this State, by reason of its value not exceeding in value the amount of exemptions, and an estate tax is imposed on such estate by the Federal Government, then there shall be, and is hereby, levied, and shall be collected from such estate, as inheritance or transfer tax sufficient in amount to equal eighty (80) per cent of said tax imposed by the Federal Government under the Revenue Act of 1926, on that portion of said estate which is situated in the State of Texas. In computing and determining the rate of the tax in such cases named in this Section, the State Comptroller, or other officers, whose duty it is to calculate and determine the amount of inheritance taxes, shall compute the same upon the net valuations of said estate as determined and used by the United States in computing the amount of the Federal Government tax due upon said estate, and said tax shall be paid from the whole of such estate before partition and distribution among the joint or several owners of same, and the said tax shall be due and payable, and shall be subject to the same interest and penalties for non-payment, as are other inheritance taxes under the provisions of the inheritance tax laws of the State.

Sec. 5. In determining what is eighty per cent (80%) of the United States estate tax mentioned in the preceding sections, the same shall be computed as eighty per cent (80%) of such taxes actually assessed and determined by the Federal Government under the Revenue Act of 1926, against every estate situated wholly in this State, or in case an estate is situated partly in this State and partly outside of this State, then such eighty per cent (80%) shall be computed as eighty per cent (80%) of the total amount of Federal taxes finally determined and assessed by the Federal Government under the Revenue Act of 1926, on and against that part of the estate situated in the State of Texas, and said amount of Federal tax shall be determined

by multiplying the total Federal estate tax on the entire estate by a percentage which shall be the same percentage as the percentage of the net estate located in Texas is to the total net estate of the decedent, wherever located, before deducting specific exemptions. In every case, it shall be the duty of the executor, administrator, or other officer, whose duty it is under the law to file reports of property with the county court for inheritance tax purposes, to file with the county court which has jurisdiction of such estate, and with the Comptroller of Public Accounts at Austin, a report showing the values placed on such estate and the amount of the estate tax assessed against the same by the Federal Government; and in case the Federal Government adds to or increases the net or taxable value of any estate and levies an additional tax in accordance therewith, after having already determined and assessed a tax against said estate, then such officer shall report, as aforesaid, the amount of said increased value and the amount of the added tax levied by reason thereof, this requirement applying only to an estate, or to the portion of an estate, which is situated in the State of Texas; and upon such report the additional taxes due this State shall be calculated and determined.

Sec. 6. In every case in which additional taxes have been assessed against an estate under the provisions of this Act, notice of the assessment of such additional tax shall be given by the county judge, at once, to the owners or coparceners of said property against which said additional taxes have been assessed, and said tax shall become due in thirty (30) days after such notice, or within thirty (30) days after such owner or coparcener shall have had actual notice of the assessment of such additional taxes, and said tax shall bear interest at the rate of six per cent (6%), per annum from the date of such notice, formal or actual, and if said tax is not paid within three (3) months from the date of such notice, a penalty of two per cent (2%) per month shall accrue on said taxes from the date same were due, which said penalty shall be in lieu of interest after said penalty begins to accrue. Nothing in this Act shall prevent any part owner

or coparcener of property, against which such additional taxes have been assessed, from paying his pro rata of such taxes and thus relieving his property from interest or penalties after such payment.

Sec. 7. The notice, the date for maturing, payment, interest and penalties provided for in this Act shall govern in every case of additional taxes assessed by virtue hereof, but the methods and means of collection and enforcement, by suit or otherwise, shall be governed by the provisions of the inheritance tax laws of this State.

Sec. 8. Sections 1 to 7, inclusive, of this Chapter shall always be construed so as not to increase the total amount of taxes payable to the State and the Federal Government combined upon the estates of decedents, the only purpose of said additional tax being to take full advantage of the eighty per cent (80%) credit allowed by the Federal Revenue Act of 1926, to those who have paid any estate, inheritance, legacy, or succession tax to any State or territory, or to the District of Columbia, in respect to any property included in the descendant's gross estate.

Sec. 9. Within ten (10) days after a will shall have been filed for probate, it shall be the duty of the clerk of the court in which same is filed to give written notice thereof to the State Comptroller, setting forth in such notice the name of the testator, his residence at the date of his death, the names and addresses of the executors, administrators, or trustees, the location of said estate, the name and address, and relation to the testator, of each devisee, legatee, and beneficiary under said will, and the approximate value of the share of each, and said clerk shall also give to the State Comptroller any other information which that official may call for in reference to any such estate or will, such information to be furnished within ten (10) days after being called for, such reports and information being for the purpose of enabling the State Comptroller to determine whether an inheritance tax is due and, if so, the amount thereof. If any county or probate clerk shall fail or refuse to comply with any of the provisions or requirements of this Section, he shall be guilty of a misdemeanor and, upon

conviction, shall be fined in any sum not less than fifty dollars (\$50) nor more than two hundred and fifty dollars (\$250).

Sec. 10. If the value of any estate taxes under Chapter 5, of Title 122, of the Revised Civil Statutes of 1925, with amendments, shall have been assessed and fixed by the Federal Government for the purpose of determining the Federal estate taxes due thereon, prior to the time the report which is required under the inheritance tax laws of this State is made to the State Comptroller, the value of the estate so fixed by the Federal Government shall be stated in such report. If the assessment of the estate by the Federal Government is made after the filing of such report to the State Comptroller, the officer or person whose duty it is to file the report which is required under the inheritance tax laws of this State, shall, within thirty (30) days after receiving notice or information of the final assessment and determination of the value of the estate as assessed and determined by the Federal Government for the purpose of fixing Federal estate taxes thereon, make to the Comptroller a report of the value of said estate as so fixed and determined, said report to be made under oath.

Sec. 11. Upon receipt of any report provided to be made to the State Comptroller under the preceding Section and upon consideration thereof, if that official deems it advisable, he may take into consideration said report in determining the value of any estate for inheritance tax purposes, and may value or revalue such estate for such purpose after giving each beneficiary, or person at interest in said estate, thirty (30) days written notice of such Federal valuation and of his said purpose to value or revalue said estate, and shall give such beneficiary, or person at interest, an opportunity to be heard and to present evidence touching the value of such estate, and, after such notice and hearing, if any is had, the State Comptroller may finally fix the value of any such estate for inheritance tax purposes, and, if he deems the same just and true, he may accept the valuation as fixed by the Federal Government in any case in calculating and determining the amount of State inheritance taxes due; and if any additional taxes are

assessed under this or the next two preceding Sections, written notice thereof shall be given to the executor, administrator, or other legal representatives, and to every person who owns a taxable part or share in such estate, which notice may be given by letter directed to the last known address of such owner; and said taxes shall become due and payable within three (3) months from the date of such notice, and all such taxes shall bear interest at the rate of six per cent (6%) per annum from the date of such notice, and on all such taxes not paid within three (3) months after the date of such notice, there shall be collected as a penalty for non-payment, interest at the rate of two per cent (2%) per month from the expiration of said three (3) month period until paid, which said penalty shall be in lieu of interest after said penalty begins to accrue; and if said taxes, penalty, and interest are not paid in full within nine (9) months from the date said taxes were so determined and assessed, suit shall be brought to collect the same in accordance with the provisions of Article 7134, Chapter 5, Title 122, of the Revised Civil Statutes of 1925.

Sec. 12. In the event the valuation of any estate is decreased under the next preceding sections, and the amount of the taxes is determined by the State Comptroller to be less than same had previously been calculated and determined, and if the overpayment of such taxes has been made, then the State Comptroller shall refund said taxes to the extent of the overpayment, out of any subsequent inheritance tax collections made by him before same is deposited to the General Revenue Fund of the State.

Sec. 13. Any person, whose duty it is under the law to file inheritance tax reports in this State, who shall fail to file with the State Comptroller the report provided for by this Act, stating the value at which any estate has been assessed by the Federal Government, shall be guilty of a misdemeanor and, upon conviction, shall be fined in any sum not less than twenty-five dollars (\$25) nor more than five hundred dollars (\$500); but it shall be a defense to said prosecution if the offending party shows that his failure was not wilful, and that he had good cause for failing in

such duty. The State Comptroller is authorized and directed to confer quarterly with the Department of Internal Revenue of the United States to ascertain the value of estates in Texas which have been assessed or valued for taxes by the Federal Government, and he shall co-operate with said Department of Internal Revenue, furnishing to said Department all available information concerning estates of decedents in Texas which said Department may request.

Sec. 14. The inheritance tax imposed upon every beneficiary's share of the estate of a non-resident decedent shall be a tax which, in amount, bears the same ratio to the entire tax for which the beneficiary's interest would be liable if the entire estate were situated in Texas, as the total value of the beneficiary's share of the decedent's estate which is situated in Texas, before allowable beneficiary deductions are made, bears to the total value of the beneficiary's entire share in the estate of the non-resident decedent wherever situated, before allowable beneficiary deductions are made.

Sec. 15. In the event a resident of this State dies, leaving any estate subject to an inheritance tax, situated partly within and partly without this State, the inheritance tax imposed upon the share of any beneficiary of said estate situated in Texas shall be a tax which shall bear the same ratio to the amount such tax would be if his entire share and interest were situated in Texas, before allowable beneficiary deductions, bears to the total value of such beneficiary's share in such decedent's estate, wherever situated, before allowable beneficiary deductions are made.

Sec. 16. (a) No safe deposit company, trust company, corporation, bank, or other institution, person or persons, having in possession or under control securities, deposits, or other assets belonging to a decedent, who was a resident or non-resident, or belonging to such a decedent and one or more persons, shall deliver the same to the executors, administrators, heirs, or legal representatives of said decedent, or to the survivor or survivors when held in the joint names of a decedent and one or more other persons, or upon their order or request, unless notice of the time and

place of such intended delivery or transfer be served upon the Comptroller at least ten days prior to said delivery or transfer, and delivery to be made only in the presence of the Comptroller or his duly authorized agent, who may be the county judge of the county in which said transfer transpires, unless the Comptroller, in writing, consents to the transfer without his presence. And it shall be lawful for the said Comptroller, or his representative, to examine all of said securities, deposits, or assets at the time of such delivery or transfer. Failure to serve such notice or failure to allow such examination shall render such safe deposit company, trust company, corporation, bank, or other institution, person or persons liable to the payment of the amount of the tax or interest due or thereafter to become due upon said securities, deposits, or other assets delivered or transferred, and in addition thereto, a penalty of not less than one thousand or more than five thousand dollars; and the payment of such tax and interest thereon, or the penalty above prescribed, or both, may be enforced in an action brought by the Comptroller in any court of competent jurisdiction.

(b) When it is made to appear to a county judge in this State that a safe deposit company, trust company, bank, person, or corporation has in its possession, or under its control, papers of a decedent or whose estate such court has jurisdiction, or that the decedent has leased from such a corporation a safe deposit box, and that such papers or such safe deposit box may contain a will of the decedent, or a deed to a burial plot in which the decedent is to be interred, or a policy of insurance issued in the name of the decedent and payable to a named beneficiary, he may make an order directing such deposit company, trust company, bank, person, or corporation to permit a person named in the order to examine such papers or safe deposit box in the presence of himself, or his duly authorized representative, or a representative of the Comptroller, and an officer of such safe deposit company, trust company, bank or corporation, or agent of such person, and if such documents are found among such papers, or in such box, to deliver said will to the clerk of the probate court of such county, or said deed to such persons as may

be designated in such order, or said policy of insurance to the beneficiary named therein. The clerk of said court shall furnish a receipt upon the delivery of the will to him.

Sec. 17. That Article 7142, Title 122, Chapter 5, of the Revised Civil Statutes, 1925, be, and the same is hereby, amended so as to read as follows:

"Tax Collector's Fees. The collector of taxes of each county shall, on or before the fifteenth day of each month, transmit to the State Treasurer, at Austin, Texas, all taxes received before the first day of the month by him under the provisions of law relating to the assessment and collection of inheritance taxes, deducting therefrom all lawful disbursements made by him under the law and also his compensation at the rate of one dollar (\$1) for each estate on which he collected the inheritance tax."

Sec. 18. That Article 7140, Title 122, Chapter 5, of the Revised Civil Statutes, 1925, be, and the same is hereby, repealed.

Sec. 19. That Article 7141, Title 122, Chapter 5, of the Revised Civil Statutes, 1925, be, and the same is hereby, amended so as to hereafter read, as follows:

"Attorney's Fees. For the services performed under the provisions of this chapter, the county judge shall be allowed two per cent of the taxes collected, not to exceed thirty dollars in any one estate. If suit be brought, the county or district attorney prosecuting same shall receive as compensation therefor, five per cent on the amount of taxes payable hereunder, not to exceed in any one case the sum of two hundred dollars, which fee shall be added to and collected from said estate in addition to the taxes and penalties herein provided for, and such compensation shall be in addition to all other fees and compensation provided by this law. The aggregate of fees received under this law shall not exceed in any one year two thousand dollars, and any fees earned in addition to said sum shall be considered a portion of the tax and penalties collected, and be distributed in the same manner."

Sec. 20. To amend Article 7122, Chapter 5, Title 122, of the Revised

Civil Statutes of 1925, as amended by House Bill No. 741 of the Regular Session of the Forty-second Legislature, so as to hereafter read as follows:

"Article 7122. Class E. Foreign Bequest. If passing to or for the use of the United States, to or for the use of any other person or religious, educational, or charitable organization or institution, or to any other person, corporation, or association not included in any of the classes mentioned in the preceding portions of the original Act known as Chapter 29 of the General Laws of the Second Called Session of the Thirty-eighth Legislature, the tax shall be:

"Five per cent on any value in excess of \$500 and not exceeding \$10,000;

"Six per cent on any value in excess of \$10,000 and not exceeding \$25,000;

"Eight per cent on any value in excess of \$25,000 and not exceeding \$50,000;

"Ten per cent on any value in excess of \$50,000 and not exceeding \$100,000;

"Twelve per cent on any value in excess of \$100,000 and not exceeding \$500,000;

"Fifteen per cent on any value in excess of \$500,000 and not exceeding \$1,000,000;

"Twenty per cent on any value in excess of \$1,000,000.

"Provided, however, that this Article shall not apply on property passing to or for the use of the United States or any religious, educational, or charitable organization when such bequest, devise, or gift is to be used within this State."

Sec. 21. All laws and parts of laws in conflict with any of the provisions of this Act are hereby repealed, and if any sentence, clause, paragraph, part, or parts of this Act shall be held unconstitutional and void, such holding shall not affect any other part or provision not held void or invalid, but all provisions not so held to be invalid shall continue in full force and effect.

Sec. 22. That by reason of the fact that there is much and unparalleled delinquency and an inadequate enforcement of our present occupation, franchise, gross receipts, gross production, inheritance, and

other tax laws, and the further fact that it is imperative that said tax laws be strengthened, and that an adequate system of enforcement and collection of delinquent taxes be provided for, together with the fact that the Government of the State of Texas is losing millions of dollars annually by reason of such condition, create an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read in each House on three several days, be suspended, and said rule is hereby suspended, and this Act shall take effect immediately and be in full force from and after its passage, and it is so enacted.

Respectfully submitted,

MARTIN,
SANDERFORD,
MURPHY,
MOORE,
ONEAL,

On the part of the Senate;

BARRON,
WEINERT,
STINSON,
ALEXANDER,
COWLEY,

On the part of the House.

Mr. Alexander moved that the report be adopted.

The motion prevailed by the following vote:

Yeas—101

Adamson.	Engelhard.
Alexander.	Fain.
Alsup.	Few.
Anderson	Ford.
of Johnson.	Fuchs.
Baker.	Glass.
Barrett.	Golson.
Barron.	Good.
Bedford.	Goodman.
Bourne.	Graves.
Bradley.	Greathouse.
Burns.	Hankamer.
Camp.	Harris.
Cathey.	Harrison.
Caven.	Hartzog.
Celaya.	Head.
Chastain.	Hester.
Clayton.	Hicks.
Cowley.	Holekamp.
Crossley.	Holloway.
Daniel.	Hoskins.
Davidson.	Huddleston.
Dean.	Hughes.
Dunlap.	Hunt.
Dunagan.	Hyder.

Jackson.	Puryear.
James.	Ratliff.
Johnson	Reed of Bowie.
of Anderson.	Reed of Dallas.
Jones of Atascosa.	Renfro.
Jones of Runnels.	Roberts.
Jones of Shelby.	Rogers of Hunt.
Kayton.	Rogers of Ochiltree.
Kyle of Hays.	Ross.
Kyle of Palo Pinto.	Russell.
Laird.	Savage.
Latham.	Scarborough.
Leonard.	Shannon.
Lotief.	Stinson.
Mackay.	Stovall.
Magee.	Tarwater.
McCullough.	Thomas.
Merritt.	Townsend.
Mitcham.	Turlington.
Moffett.	Van Zandt.
Moore.	Vaughan.
Morrison.	Wagstaff.
Morse.	Walker.
Munson.	Winningham.
Palmer.	Wood.
Parkhouse.	Young.
Pavlica.	

Nays—8

Aikin.	Metcalfe.
Canon.	Pope.
Lindsey.	Ramsey.
Long.	Scott.

Absent

Beck.	Nicholson.
Butler.	Patterson.
Duvall.	Ray.
Griffith.	Riddle.
Haag.	Rollins.
Harman.	Smith.
Holland.	Steward.
Jefferson.	Tennyson.
McClain.	Tillery.
McGregor.	Wells.
McKee.	

Absent—Excused

Anderson	Johnson
of Bexar.	of Dimmit.
Calvert.	Lemens.
Colson.	Mathis.
Coombes.	McDougald.
Devall.	Reader.
Dwyer.	Shults.
Fisher.	Stanfield.
Hill of Brazoria.	Sullivant.
Hill of Webb.	Weinert.
Hodges.	

RELATIVE TO SENATE BILL NO. 491

Mr. Vaughan moved to reconsider the vote by which the motion to print

Senate Bill No. 491, on a minority report, was lost.

The motion to reconsider prevailed.

Question then recurring on the motion, that Senate Bill No. 491 be printed, it prevailed.

REQUEST OF SENATE GRANTED

On motion of Mr. Engelhard, the House granted the request of the Senate for the appointment of a conference committee on Senate Concurrent Resolution No. 71.

In accordance with the above action, the Speaker announced the appointment of the following committee: Messrs. Goodman, Engelhard, Vaughan, Wagstaff, and Dunlap.

RELATIVE TO THE CONSTRUCTION OF DAMS ON THE RIO GRANDE

Mr. Pope offered the following resolution:

H. C. R. No. 104, Relative to the construction of dams on the Rio Grande.

Whereas, The Department of Agriculture has been, and now is, conducting a co-operative dam building work in this State; and,

Whereas, Many of the citizens who live adjacent to the Rio Grande, and its tributaries, have signified their desire to secure a number of these dams, thereby impounding water which they may use for domestic, irrigation, and other purposes; and,

Whereas, The building of such dams on the Rio Grande would have an international aspect; therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That when it is deemed advisable to locate such dams on the Rio Grande that the Commissioner of Agriculture be, and is hereby, authorized to take up with the Texas Rehabilitation and Relief Commission the matter of securing from the proper governmental agencies or authorities who may have jurisdiction in such matters, mutual and satisfactory arrangements with the Mexican Government for the location of such dams on, over, or across the Rio Grande.

POPE,
TOWNSEND.

The resolution was read second time, and was adopted.

NOTICE GIVEN

Mr. Hoskins gave notice that he would, on tomorrow, move to take up, for consideration at that time, the motion to reconsider the vote by which House Bill No. 35 failed to pass to engrossment, which motion to reconsider was heretofore spread on the Journal.

HOUSE BILL NO. 560 ON SECOND READING

The Speaker laid before the House, as a special order for this hour, on its second reading and passage to engrossment,

H. B. No. 560, A bill to be entitled "An Act providing for the issuance of patents, under certain conditions, to lands and accretions thereto, heretofore claimed by New Mexico to be in that State, but determined by the Supreme Court of the United States, in its decree of April 9, 1928, to be within the State of Texas, and prescribing the considerations and the conditions necessary for the issuance of such patents, and the manner of such issuance and the provisions to be contained in such patents; and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 560 ON THIRD READING

Mr. Clayton moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 560 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—102

Adamson.	Chastain.
Aikin.	Clayton.
Alsup.	Colson.
Anderson	Cowley.
of Johnson.	Crossley.
Baker.	Daniel.
Barrett.	Davidson.
Bedford.	Dunlap.
Bourne.	Engelhard.
Burns.	Fain.
Canon.	Few.
Cathey.	Ford.
Celaya.	Fuchs.

Glass.	Merritt.
Golson.	Mitcham.
Good.	Moffett.
Goodman.	Moore.
Graves.	Morrison.
Greathouse.	Morse.
Griffith.	Munson.
Haag.	Nicholson.
Hankamer.	Palmer.
Harman.	Patterson.
Harris.	Pavlica.
Harrison.	Pope.
Hartzog.	Puryear.
Head.	Ramsey.
Hester.	Ratliff.
Hicks.	Ray.
Holekamp.	Reed of Bowie.
Holloway.	Reed of Dallas.
Hoskins.	Renfro.
Huddleston.	Rogers of Hunt.
Hughes.	Rogers
Hunt.	of Ochiltree.
Hyder.	Rollins.
Jackson.	Ross.
James.	Russell.
Johnson	Savage.
of Anderson.	Scarborough.
Jones of Atascosa.	Steward.
Jones of Runnels.	Stinson.
Jones of Shelby.	Stovall.
Kyle of Hays.	Tarwater.
Kyle of Palo Pinto.	Thomas.
Laird.	Tillery.
Latham.	Townsend.
Leonard.	Van Zandt.
Long.	Wagstaff.
Mackay.	Wells.
Magee.	Wood.
McCullough.	Young.
McKee.	

Nays—3

Lotief.	Vaughan.
Parkhouse.	

Absent

Alexander.	Lindsey.
Barron.	McClain.
Beck.	McGregor.
Bradley.	Metcalfe.
Butler.	Riddle.
Camp.	Roberts.
Caven.	Scott.
Dean.	Shannon.
Dunagan.	Smith.
Duvall.	Tennyson.
Holland.	Turlington.
Jefferson.	Walker.
Kayton.	Winningham.

Absent—Excused

Anderson	Coombes.
of Bexar.	Devall.
Calvert.	Dwyer.

Fisher.	Mathis.
Hill of Brazoria.	McDougald.
Hill of Webb.	Reader.
Hodges.	Shults.
Johnson	Stanfield.
of Dimmit.	Sullivant.
Lemens.	Weinert.

The Speaker then laid House Bill No. 560 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—113

Adamson.	James.
Aikin.	Johnson
Alsup.	of Anderson.
Anderson	Jones of Atascosa.
of Johnson.	Jones of Runnels.
Baker.	Jones of Shelby.
Barrett.	Kayton.
Barron.	Kyle of Hay.
Bedford.	Kyle of Palo Pinto.
Bourne.	Laird.
Burns.	Latham.
Camp.	Leonard.
Canon.	Lindsey.
Cathey.	Long.
Caven.	Lotief.
Celaya.	Mackay.
Chastain.	Magee.
Clayton.	McClain.
Colson.	McCullough.
Cowley.	McKee.
Crossley.	Merritt.
Daniel.	Metcalfe.
Davidson.	Mitcham.
Dean.	Moffett.
Dunlap.	Moore.
Fain.	Morrison.
Few.	Morse.
Ford.	Munson.
Fuchs.	Nicholson.
Glass.	Palmer.
Golson.	Parkhouse.
Good.	Patterson.
Graves.	Pavlica.
Greathouse.	Pope.
Haag.	Puryear.
Hankamer.	Ramsey.
Harman.	Ratliff.
Harris.	Ray.
Harrison.	Reed of Bowie.
Hartzog.	Reed of Dallas.
Head.	Renfro.
Hester.	Roberts.
Hicks.	Rogers of Hunt.
Holekamp.	Rogers
Hoskins.	of Ochiltree.
Huddleston.	Rollins.
Hughes.	Ross.
Hunt.	Russell.
Hyder.	Savage.
Jackson.	Scarborough.

Steward.	Van Zandt.
Stinson.	Vaughan.
Stovall.	Wagstaff.
Tarwater.	Walker.
Tennyson.	Wells.
Thomas.	Winningham.
Tillery.	Wood.
Townsend.	Young.

Absent

Alexander.	Holland.
Beck.	Holloway.
Bradley.	Jefferson.
Butler.	McGregor.
Dunagan.	Riddle.
Duvall.	Scott.
Engelhard.	Shannon.
Goodman.	Smith.
Griffith.	Turlington.

Absent—Excused

Anderson	Johnson
of Bexar.	of Dimmit.
Calvert.	Lemens.
Coombes.	Mathis.
Devall.	McDougald.
Dwyer.	Reader.
Fisher.	Shults.
Hill of Brazoria.	Stanfield.
Hill of Webb.	Sullivant.
Hodges.	Weinert.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, May 27, 1933.

Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: I am directed by the Senate
to inform the House that the Senate
has passed

H. B. No. 14, A bill to be entitled
"An Act to amend Article 7043 of
the Revised Civil Statutes, 1925, as
amended by Chapter 23, Acts of the
Third Called Session, Forty-first
Legislature, as amended by Chapter
32, Acts Second Called Session,
Forty-first Legislature, relating to
ascertaining tax rate, and declaring
an emergency." (With amendment.)

S. B. No. 204, A bill to be entitled
"An Act to simplify the operations
of the Executive Department of the
State Government by abolishing cer-
tain offices, boards, departments,
commissions, and institutions; cre-
ating others; redistributing the pow-
ers, duties, and functions of the
Executive Department among such
offices, boards, commissions, and de-

partments as are herein created or
hereby retained; defining such pow-
ers, duties, and functions and co-
ordinating them; fixing terms of
office, methods of appointment, and
election duties, and qualifications of
offices and positions, and declaring an
emergency."

H. B. No. 555, A bill to be entitled
"An Act to amend Article 2350 of
Title 44 of the Revised Civil Statutes
of the State of Texas, 1925, as
amended by Act of the Thirty-ninth
Legislature, Regular Session, Chap-
ter 135, Section 1, and as amended
by Act of the Fortieth Legislature,
page 435, Chapter 490, Section 1,
and as amended by Act of the For-
tieth Legislature, First Called Ses-
sion, page 138, Chapter 46, Section
1, relating to the salaries of county
commissioners; providing the effec-
tive date of this Act shall be Jan-
uary 1, 1934, repealing all laws, both
general or special, and parts of laws,
both general or special, in conflict
herewith, and declaring an emer-
gency." (With amendments.)

The Senate has adopted

H. C. R. No. 84, Authorizing the
State Treasurer to place \$500 to the
credit of the General Revenue Fund
of the State of Texas.

The Senate has adopted conference
committee report on House Bill No.
928 by a viva voce vote.

The Senate has refused to concur
in House amendments to Senate Con-
current Resolution No. 71, and re-
quests the appointment of a confer-
ence committee. The following have
been appointed on the part of the
Senate: Senators Small, Woodul,
Woodward, Russek, and Sanderford.

Respectfully,

BOB BARKER,
Secretary of the Senate.

BILLS SIGNED BY THE SPEAKER

The Speaker signed, in the presence
of the House, after giving due notice
thereof, and their captions had been
read severally, the following enrolled
bills:

S. B. No. 485, "An Act to authorize
any county in this State, whose
population, according to the last pre-

ceding United States Census, did not exceed fifteen thousand, having at the time of the passage of this Act, any claim for money against any person, partnership, corporation, joint stock or other association, and whose claim shall amount to at least fifty per cent of all the claims against such debtor, to purchase the property of such debtor or debtors, at any sale made within two years from the date this Act shall become effective under any proceedings in bankruptcy, receivership, or in any other judicial proceedings whatever, whenever the commissioners court of said county shall be of the opinion that it is necessary or advisable so to do to protect the interest of the county, for such price as the commissioners court may deem advisable for the best interests of the county, and to have such property by said trustee in bankruptcy, receiver, or other judicial officer conveyed and transferred to the county; etc., and declaring an emergency."

H. B. No. 847, "An Act making an appropriation of the sum of five thousand seventy-four dollars and sixteen cents (\$5,074.16), or so much thereof as may be necessary, out of the County and Road District Highway Fund of the State of Texas, to pay the expenses incurred in the administration of Chapter 13, Acts of the Third Called Session of the Forty-second Legislature, and declaring an emergency."

S. B. No. 118, "An Act to amend Article 514, Revised Civil Statutes, as amended by Acts of Forty-first Legislature, First Called Session; and declaring an emergency."

S. B. No. 539, "An Act providing that the Texas Prison Board shall have the power to insure the officers and employes of the Texas Prison System, etc."

S. B. No. 180, "An Act giving county courts acting in probate matters authority to authorize guardians of estates of minors to partition real estate in which the minor's estate has an interest in common with other part owner or owners, and providing the procedure for granting such authority by requiring the guardian to file an application describing the land to be partitioned, and the terms

of contract for such partition, and that it is to the best interest of the minor's estate that the land be divided as provided in the agreement, and providing that the applications shall be filed and called to the attention of the judge, which application shall be set down for hearing, such hearing to be at least five days after the filing of such application, and providing for an order if the judge is satisfied the partition is to the best interest of the estate, ratifying, and approving such partition, etc."

S. B. No. 493, "An Act to repeal Article 587, of the Penal Code, Acts, 1909, page 289, Acts, 1921, page 152; and declaring an emergency."

S. B. No. 571, "An Act to amend Articles 1257 and 1259 of the Revised Civil Statutes of 1925, relating to abolition of corporate existence of cities and towns, repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

S. B. No. 543, "An Act providing that the Comptroller of Public Accounts shall not issue any warrant for the payment of the Available School Funds, or Rural Aid, or Vocational Educational Funds to or for the benefit of any school district, or city, or town which has assumed the control of its public schools, when the interest and/or principal on any bonds owed by such school district and/or city or town belonging to the Permanent School Fund remain unpaid for a period of two years, and providing that such warrant shall not issue when any such school district and/or city or town prefers the claim of any other bond holder to the claims of the State Permanent School Funds; providing that no default shall be deemed to exist if proper refunding bonds have been approved by the State Board of Education; and declaring an emergency."

S. B. No. 568, "An Act amending Subdivision 31, of Article 199, Title 8, Revised Civil Statutes of Texas of 1925, as amended by Chapter 6, Acts of the Regular Session of the Forty-first Legislature; providing for changing and prescribing times of holding court in the Thirty-first Judicial District of Texas; validating and continuing all processes and

writs, bonds, and recognizances, and making them returnable to the terms of court in the several counties in said District as herein fixed; validating the summoning of grand and petit jurors under the present law so as to render them available under the present Act; enacting proper provisions relative to any term of court that may be in session when this Act takes effect; repealing all laws in conflict herewith, and declaring an emergency."

S. B. No. 551, "An Act amending Article 2529, Chapter 1, Title 47, Revised Statutes, as amended by Chapter 57, First Called Session, Fortieth Legislature, as further amended by Chapter 124, General Laws, Regular Session, Forty-first Legislature, to authorize the State Depository Board to accept warrants drawn against the General Revenue Fund of the State as collateral to secure deposits made by the State in State depositories, and declaring an emergency."

S. B. No. 532, "An Act authorizing the Texas State Parks Board to improve, beautify, and equip their several State parks, and in payment thereof, or to secure funds therefor, to issue evidences of indebtedness secured by the rents, revenues, and incomes from such improvements, and/or other fees, rents, or revenues from any source other than appropriations made by the State Legislature; providing that the said Board may make concession contracts; providing that projects financed in accordance with this Act shall be deemed self-liquidating in character; providing that nothing herein shall be construed as creating a debt against the State of Texas; and declaring an emergency."

SENATE BILLS ON FIRST READING

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 565, to the Committee on Education.

Senate Bill No. 413, to the Committee on Judiciary.

Senate Bill No. 204, to the Committee on Revenue and Taxation.

RECESS

On motion of Mr. Fuchs, the House, at 12 o'clock m., took recess to 2 o'clock p. m., today.

AFTERNOON SESSION

The House met at 2 o'clock p. m., and was called to order by the Speaker.

HOUSE BILL NO. 249 ON SECOND READING

(By Unanimous Consent)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 249, A bill to be entitled "An Act to amend Article 1063, of the Penal Code of the State of Texas of 1925, so as to include milk bottle cases; and declaring an emergency." (Relating to filling or not returning container.)

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 251 ON SECOND READING

(By Unanimous Consent)

The Speaker laid before the House, on its second reading, and passage to engrossment,

H. B. No. 251, A bill to be entitled "An Act to amend Article 1065, of the Penal Code of the State of Texas of 1925, so as to include milk bottle cases; and declaring an emergency." (Relating to ownership of milk containers, etc.)

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 250 ON SECOND READING

(By Unanimous Consent)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 250, A bill to be entitled "An Act to amend Article 1064, of the Penal Code of the State of Texas of 1925, so as to include milk bottle cases; and declaring an emergency." (Relating to injuring milk containers, etc.)

The bill was read second time, and was passed to engrossment.

Mr. Fain moved a call of the House for the purpose of maintaining a quorum until the House adjourns today, and the call was duly ordered.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall, and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no Member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Barron, the Sergeant-at-Arms was instructed to bring in all absent Members within the city who are not ill.

HOUSE BILL NO. 555 WITH SENATE AMENDMENTS

Mr. Hankamer called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 555, A bill to be entitled "An Act to amend Article 2350, of Title 44, of the Revised Civil Statutes of the State of Texas, 1925, as amended by Act of the Thirty-ninth Legislature, Regular Session, Chapter 135, Section 1, and as amended by Act of the Fortieth Legislature, page 435, Chapter 490, Section 1, and as amended by Act of the Fortieth Legislature, First Called Session, page 138, Chapter 46, Section 1, relating to the salaries of county commissioners; repealing all laws, both general or special, and parts of laws, etc.; and declaring an emergency."

The Speaker laid the bill before the House, with the Senate amendments.

Mr. Hankamer moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

HOUSE BILL NO. 783 ON SECOND READING

(By Unanimous Consent)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 783, A bill to be entitled "An Act repealing Article 5565 of the 1925 Revised Civil Statutes of Texas, and declaring an emergency." (Relating to appointment of gin inspectors.)

The bill was read second time, and was passed to engrossment.

Mr. Aikin moved to reconsider the vote by which the bill was passed to engrossment.

The motion to reconsider prevailed.

Mr. Aikin offered the following committee amendments to the bill:

(1)

Amend House Bill No. 783 by striking out all below the enacting clause, and inserting in lieu thereof the following:

"Section 1. That Article 5565 of the 1925 Revised Civil Statutes be, and the same is hereby, repealed in so far as such section authorizes the Commissioner of Agriculture to appoint gin inspectors.

"Sec. 2. That Articles 5668 and 5669, which Articles provide that ginners shall be required to give bond, and that suits may be brought against the makers of such bonds be, and the same is hereby, repealed.

"Sec. 3. The fact that the above Articles authorize the appointment of gin inspectors, requires ginners to execute bonds, and provides that suits may be brought against such bonds, all of which does not serve any useful purpose or protection to the public, but incurs unnecessary expense and inconvenience to the ginners, creates an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read on three several days in each House, be, and the same is hereby, suspended and that this Act be in force from and after its passage, and it is so enacted."

(2)

Amend House Bill No. 783 by striking out all above the enacting clause, and inserting in lieu thereof the following:

"H. B. No. 783,

A BILL

To Be Entitled

An Act repealing Articles 5565, 5668, and 5669 of the 1925 Revised Civil Statutes of Texas, and declaring an emergency."

The amendments were severally adopted.

House Bill No. 783 was then passed to engrossment.

**CONFERENCE COMMITTEE ON
HOUSE BILL NO. 555.**

The Speaker announced the appointment of the following conference committee on House Bill No. 555: Messrs. Hankamer, Stinson, Nicholson, Ford, and Hyder.

**HOUSE BILL NO. 946 ON SECOND
READING**

(By Unanimous Consent)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 946, A bill to be entitled "An Act to release interest and penalties on all delinquent ad valorem taxes due any city, town, or village, or independent school district, if said taxes are paid before the fifteenth day of September, 1933, and the governing body finds that unusual or excessive default has occurred in the payment of taxes, and that an extension of time will promote and accelerate collection thereof; suspending all laws and parts of laws in conflict herewith during the term this Act is in force; etc.; and declaring an emergency, and declaring that this Act shall take effect and be in force from and after its passage."

The bill was read second time, and was passed to engrossment.

**HOUSE BILL NO. 849 ON SECOND
READING**

(By Unanimous Consent)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 849, A bill to be entitled "An Act to declare the validity of certain indebtedness arising out of the construction of State Highway No. 41, in the County of Real; to place such indebtedness on a parity with bonds, warrants, and other evidences of indebtedness heretofore authorized to be paid out of the County and Road District Highway Fund; providing for the payment of such indebtedness to Real County in trust for Capt. Charles Schreiner, his heirs and legatees; repealing all laws or

parts of laws in conflict herewith; and declaring an emergency."

The bill was read second time, and was passed to engrossment.

**HOUSE BILL NO. 659 ON SECOND
READING**

(By Unanimous Consent)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 659, A bill to be entitled "An Act to amend Article 4907, Revised Statutes of 1925, as amended by Chapter 171, Acts of the Forty-second Legislature, by adding thereto the provision that said Commission is empowered to so make, establish, and promulgate all classifications of hazards and rates of premium applicable to Workmen's Compensation policies so as to permit subscribers to contract with the compensation insurance carriers to indemnify said carrier as to all or any part of the carrier's liability for medical, hospital, and surgical benefits to an employe, and authorizing said Commission to make, establish, and promulgate rates of premiums applicable to said contracts of indemnity; and declaring an emergency."

The bill was read second time, and was passed to engrossment.

**HOUSE BILL NO. 331 ON SECOND
READING**

(By Unanimous Consent)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 331, A bill to be entitled "An Act to amend Articles 7204 and 7162, Title 122, Chapter 6, of the Revised Civil Statutes of 1925, so as to empower and make it the duty of the State Comptroller of Public Accounts to prescribe such additional inventory forms for listing and assessing property as will reach in an intelligible way all classes of real and personal property subject to taxation; providing for the listing of additional subjects; making all provisions hereof cumulative of the existing statutory provisions relative to the assessment of property, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 865 ON SECOND
READING

(By Unanimous Consent)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 865, A bill to be entitled "An Act to amend Subdivision 9, Article 2135, Chapter 7, Title 42, of the Revised Civil Statutes of the State of Texas, 1925, as amended by Acts of 1931, Forty-second Legislature, page 375, Chapter 221, Section 2, so as to provide that in cities and towns having a population of one thousand (1,000) or more inhabitants, according to the last preceding United States Census, the active members of organized fire companies, not to exceed twenty (20), to each one thousand (1,000) of such inhabitants, shall be exempt from jury service; and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 249 ON THIRD
READING

Mr. Renfro moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 249 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—98

Adamson.	Few.
Aikin.	Ford.
Alexander.	Fuchs.
Alsup.	Glass.
Anderson	Golson.
of Johnson.	Goodman.
Baker.	Graves.
Barrett.	Greathouse.
Barron.	Griffith.
Beck.	Haag.
Bedford.	Hankamer.
Bourne.	Harman.
Bradley.	Harris.
Burns.	Hartzog.
Calvert.	Hester.
Canon.	Holekamp.
Cathey.	Holland.
Caven.	Hoskins.
Celaya.	Hughes.
Chastain.	Hunt.
Cowley.	Hyder.
Crossley.	Jackson.
Daniel.	James.
Dunlap.	Jones of Atascosa.
Fain.	Jones of Runnels.

Jones of Shelby.	Ray.
Kayton.	Reed of Bowie.
Kyle of Hays.	Reed of Dallas.
Kyle of Palo Pinto.	Renfro.
Laird.	Riddle.
Latham.	Roberts.
Leonard.	Rogers of Hunt.
Lindsey.	Rogers
Long.	of Ochiltree.
Lotief.	Rollins.
Mackay.	Ross.
Magee.	Scott.
McClain.	Shannon.
Merritt.	Steward.
Mitcham.	Stinson.
Moffett.	Stovall.
Moore.	Tarwater.
Morrison.	Thomas.
Morse.	Townsend.
Nicholson.	Turlington.
Patterson.	Vaughan.
Pavlica.	Wagstaff.
Puryear.	Walker.
Ramsey.	Wells.
Ratliff.	Wood.

Nays—1

Good.

Present—Not Voting

Mr. Speaker.	Winningham.
McKee.	

Absent

Butler.	McCullough.
Camp.	McGregor.
Clayton.	Metcalfe.
Davidson.	Munson.
Dean.	Palmer.
Dunagan.	Parkhouse.
Duvall.	Pope.
Engelhard.	Russell.
Harrison.	Savage.
Head.	Scarborough.
Hicks.	Smith.
Holloway.	Tennyson.
Huddleston.	Tillery.
Jefferson.	Van Zandt.
Johnson	Young.
of Anderson.	

Absent—Excused

Anderson	Johnson
of Bexar.	of Dimmit.
Colson.	Lemens.
Coombes.	Mathis.
Devall.	McDougald.
Dwyer.	Reader.
Fisher.	Shults.
Hill of Brazoria.	Stanfield.
Hill of Webb.	Sullivant.
Hodges.	Weinert.

The Speaker then laid House Bill No. 249 before the House on its third reading and final passage.

The bill was read third time, and was passed.

HOUSE BILL NO. 250 ON THIRD READING

Mr. Renfro moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 250 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—102

Adamson.	Jones of Shelby.
Aikin.	Kayton.
Alexander.	Kyle of Hays.
Alsup.	Kyle of Palo Pinto.
Anderson	Laird.
of Johnson.	Latham.
Baker.	Leonard.
Barrett.	Lindsey.
Barron.	Long.
Beck.	Lotief.
Bedford.	Mackay.
Bourne.	Magee.
Bradley.	McClain.
Burns.	McKee.
Calvert.	Merritt.
Canon.	Mitcham.
Cathey.	Moffett.
Caven.	Moore.
Celaya.	Morrison.
Chastain.	Morse.
Cowley.	Nicholson.
Crossley.	Parkhouse.
Daniel.	Patterson.
Dunlap.	Pavlica.
Fain.	Ramsey.
Few.	Ratliff.
Ford.	Ray.
Fuchs.	Reed of Bowie.
Glass.	Reed of Dallas.
Golson.	Renfro.
Good.	Riddle.
Goodman.	Roberts.
Graves.	Rogers of Hunt.
Greathouse.	Rogers
Griffith.	of Ochiltree.
Haag.	Rollins.
Hankamer.	Ross.
Harman.	Scarborough.
Harris.	Scott.
Hartzog.	Shannon.
Hester.	Steward.
Holekamp.	Stinson.
Holland.	Stovall.
Hoskins.	Tarwater.
Hughes.	Thomas.
Hunt.	Turlington.
Hyder.	Vaughan.
Jackson.	Wagstaff.
James.	Walker.
Jones of Atascosa.	Wells.
Jones of Runnels.	Winningham.

Wood.

Young.

Absent

Butler.	McCullough.
Camp.	McGregor.
Clayton.	Metcalfe.
Davidson.	Munson.
Dean.	Palmer.
Dunagan.	Pope.
Duvall.	Purveyer.
Engelhard.	Russell.
Harrison.	Savage.
Head.	Smith.
Hicks.	Tennyson.
Holloway.	Tillery.
Huddleston.	Townsend.
Jefferson.	Van Zandt.
Johnson	
of Anderson.	

Absent—Excused

Anderson	Johnson
of Bexar.	of Dimmit.
Colson.	Lemens.
Coombes.	Mathis.
Devall.	McDougald.
Dwyer.	Reader.
Fisher.	Shults.
Hill of Brazoria.	Stanfield.
Hill of Webb.	Sullivant.
Hodges.	Weinert.

The Speaker then laid House Bill No. 250 before the House on its third reading and final passage.

The bill was read third time, and was passed.

HOUSE BILL NO. 251 ON THIRD READING

Mr. Renfro moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 251 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—100

Adamson.	Calvert.
Aikin.	Canon.
Alexander.	Cathey.
Alsup.	Caven.
Anderson	Colson.
of Johnson.	Cowley.
Baker.	Crossley.
Barrett.	Daniel.
Barron.	Dunlap.
Beck.	Fain.
Bedford.	Few.
Bourne.	Ford.
Bradley.	Fuchs.
Burns.	Glass.

Golson.	Mitcham.
Good.	Moffett.
Goodman.	Morrison.
Graves.	Morse.
Greathouse.	Nicholson.
Griffith.	Parkhouse.
Haag.	Patterson.
Hankamer.	Pavlica.
Harman.	Puryear.
Harris.	Ramsey.
Hartzog.	Ratliff.
Hester.	Ray.
Holekamp.	Reed of Bowie.
Holland.	Reed of Dallas.
Hoskins.	Renfro.
Hughes.	Riddle.
Hunt.	Roberts.
Hyder.	Rogers of Hunt.
Jackson.	Rogers
James.	of Ochiltree.
Jones of Atascosa.	Rollins.
Jones of Runnels.	Scarborough.
Jones of Shelby.	Scott.
Kayton.	Shannon.
Kyle of Hays.	Steward.
Kyle of Palo Pinto.	Stinson.
Laird.	Stovall.
Latham.	Tarwater.
Leonard.	Tennyson.
Lindsey.	Thomas.
Long.	Townsend.
Lotief.	Turlington.
Mackay.	Wagstaff.
Magee.	Walker.
McClain.	Winningham.
McCullough.	Wood.
Merritt.	Young.

Absent

Butler.	Johnson
Camp.	of Anderson.
Celaya.	McGregor.
Chastain.	McKee.
Clayton.	Metcalf.
Davidson.	Moore.
Dean.	Munson.
Dunagan.	Palmer.
Duvall.	Pope.
Engelhard.	Ross.
Harrison.	Russell.
Head.	Savage.
Hicks.	Smith.
Holloway.	Tillery.
Huddleston.	Van Zandt.
Jefferson.	Vaughan.
	Wells.

Absent—Excused

Anderson	Hodges.
of Bexar.	Johnson
Coombes.	of Dimmit.
Devall.	Lemens.
Dwyer.	Mathis.
Fisher.	McDougald.
Hill of Brazoria.	Reader.
Hill of Webb.	Shults.

Stanfield.	Weinert.
Sullivant.	

The Speaker then laid House Bill No. 251 before the House on its third reading and final passage.

The bill was read third time, and was passed.

HOUSE BILL NO. 331 ON THIRD READING

Mr. Barron moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 331 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—100

Adamson.	James.
Aikin.	Jones of Atascosa.
Alexander.	Jones of Runnels.
Alsup.	Jones of Shelby.
Anderson	Kayton.
of Johnson.	Kyle of Hays.
Baker.	Kyle of Palo Pinto.
Barron.	Laird.
Beck.	Latham.
Bedford.	Leonard.
Bourne.	Lindsey.
Bradley.	Long.
Burns.	Lotief.
Canon.	Mackay.
Cathey.	Magee.
Caven.	McClain.
Celaya.	McKee.
Chastain.	Merritt.
Cowley.	Mitcham.
Crossley.	Morrison.
Daniel.	Morse.
Dean.	Nicholson.
Dunlap.	Parkhouse.
Fain.	Patterson.
Few.	Pavlica.
Ford.	Pope.
Fuchs.	Puryear.
Glass.	Ramsey.
Golson.	Ratliff.
Good.	Ray.
Graves.	Reed of Dallas.
Greathouse.	Renfro.
Griffith.	Riddle.
Haag.	Roberts.
Hankamer.	Rogers of Hunt.
Harman.	Rogers
Harris.	of Ochiltree.
Hartzog.	Rollins.
Hester.	Ross.
Holekamp.	Savage.
Holland.	Scott.
Hughes.	Shannon.
Hunt.	Steward.
Hyder.	Stinson.
Jackson.	Stovall.

Tarwater.
Tennyson.
Thomas.
Turlington.
Van Zandt.
Vaughan.

Wagstaff.
Walker.
Wells.
Winningham.
Wood.
Young.

Absent

Barrett.	Jefferson.
Butler.	Johnson
Calvert.	of Anderson.
Camp.	McCullough.
Clayton.	McGregor.
Davidson.	Metcalf.
Dunagan.	Moffett.
Duvall.	Moore.
Engelhard.	Munson.
Goodman.	Palmer.
Harrison.	Reed of Bowie.
Head.	Russell.
Hicks.	Scarborough.
Holloway.	Smith.
Hoskins.	Tillery.
Huddleston.	Townsend.

Absent—Excused

Anderson	Johnson
of Bexar.	of Dimmit.
Colson.	Lemens.
Coombes.	Mathis.
Devall.	McDougald.
Dwyer.	Reader.
Fisher.	Shults.
Hill of Brazoria.	Stanfield.
Hill of Webb.	Sullivant.
Hodges.	Weinert.

The Speaker then laid House Bill No. 331 before the House on its third reading and final passage.

The bill was read third time, and was passed.

HOUSE BILL NO. 659 ON THIRD READING

Mr. Long moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 659 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—101

Adamson.	Bedford.
Aikin.	Bourne.
Alexander.	Bradley.
Alsup.	Burns.
Anderson	Calvert.
of Johnson.	Camp.
Baker.	Canon.
Barrett.	Cathey.
Barron.	Caven.
Beck.	Celaya.

Chastain.
Colson.
Cowley.
Crossley.
Daniel.
Dean.
Dunlap.
Dunagan.
Fain.
Few.
Ford.
Fuchs.
Glass.
Good.
Goodman.
Greathouse.
Griffith.
Haag.
Hankamer.
Harman.
Harris.
Hartzog.
Holekamp.
Holland.
Hoskins.
Hughes.
Hyder.
Jackson.
James.
Jones of Atascosa.
Jones of Runnels.
Jones of Shelby.
Kayton.
Kyle of Hays.
Kyle of Palo Pinto.
Laird.
Latham.
Leonard.
Lindsey.
Long.
Lotief.
Mackay.

McClain.
McCullough.
Merritt.
Mitcham.
Moffett.
Moore.
Morrison.
Morse.
Nicholson.
Parkhouse.
Patterson.
Pavlica.
Pope.
Purveyer.
Ramsey.
Ratliff.
Ray.
Reed of Bowie.
Reed of Dallas.
Renfro.
Roberts.
Rogers
of Ochiltree.
Rollins.
Ross.
Scott.
Shannon.
Steward.
Stinson.
Stovall.
Tarwater.
Tennyson.
Thomas.
Townsend.
Turlington.
Wagstaff.
Walker.
Wells.
Winningham.
Wood.
Young.

Absent

Butler.	Magee.
Clayton.	McGregor.
Davidson.	McKee.
Duvall.	Metcalf.
Engelhard.	Munson.
Golson.	Palmer.
Graves.	Riddle.
Harrison.	Rogers of Hunt.
Head.	Russell.
Hester.	Savage.
Hicks.	Scarborough.
Holloway.	Smith.
Huddleston.	Tillery.
Hunt.	Van Zandt.
Jefferson.	Vaughan.
Johnson	
of Anderson.	

Absent—Excused

Anderson	Devall.
of Bexar.	Dwyer.
Coombes.	Fisher.

Hill of Brazoria.	McDougald.
Hill of Webb.	Reader.
Hodges.	Shults.
Johnson	Stanfield.
of Dimmit.	Sullivant.
Lemens.	Weinert.
Mathis.	

The Speaker then laid House Bill No. 659 before the House on its third reading and final passage.

The bill was read third time, and was passed.

HOUSE BILL NO. 783 ON THIRD READING

Mr. Aikin moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 783 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—104

Adamson.	Hartzog.
Aikin.	Hester.
Alexander.	Holekamp.
Alsup.	Holland.
Anderson	Hoskins.
of Johnson.	Hughes.
Baker.	Hunt.
Barrett.	Hyder.
Barron.	Jackson.
Beck.	James.
Bedford.	Jones of Atascosa.
Bourne.	Jones of Runnels.
Bradley.	Jones of Shelby.
Burns.	Kayton.
Calvert.	Kyle of Hays.
Canon.	Kyle of Palo Pinto.
Cathey.	Laird.
Caven.	Latham.
Celaya.	Leonard.
Chastain.	Lindsey.
Colson.	Long.
Cowley.	Lotief.
Crossley.	Mackay.
Daniel.	Magee.
Dunlap.	McClain.
Fain.	McCullough.
Few.	Mitcham.
Ford.	Moffett.
Fuchs.	Moore.
Glass.	Morrison.
Golson.	Morse.
Good.	Nicholson.
Goodman.	Parkhouse.
Graves.	Patterson.
Greathouse.	Pavlica.
Griffith.	Pope.
Haag.	Puryear.
Hankamer.	Ramsey.
Harman.	Ratliff.
Harris.	Ray.

Reed of Bowie.	Stovall.
Reed of Dallas.	Tennyson.
Renfro.	Thomas.
Riddle.	Townsend.
Roberts.	Turlington.
Rogers of Hunt.	Van Zandt.
Rogers	Vaughan.
of Ochiltree.	Wagstaff.
Rollins.	Walker.
Ross.	Wells.
Scott.	Winningham.
Steward.	Wood.
Stinson.	Young.

Nays—1

Scarborough.

Present—Not Voting

Merritt.

Absent

Butler.	Johnson
Camp.	of Anderson.
Clayton.	McGregor.
Davidson.	McKee.
Dean.	Metcalfe.
Dunagan.	Munson.
Duvall.	Palmer.
Engelhard.	Russell.
Harrison.	Savage.
Head.	Shannon.
Hicks.	Smith.
Holloway.	Tarwater.
Huddleston.	Tillery.
Jefferson.	

Absent—Excused

Anderson	Johnson
of Bexar.	of Dimmit.
Coombes.	Lemens.
Devall.	Mathis.
Dwyer.	McDougald.
Fisher.	Reader.
Hill of Brazoria.	Shults.
Hill of Webb.	Stanfield.
Hodges.	Sullivant.
	Weinert.

The Speaker then laid House Bill No. 783 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—94

Adamson.	Bedford.
Aikin.	Bradley.
Alexander.	Canon.
Alsup.	Cathey.
Anderson	Celaya.
of Johnson.	Chastain.
Baker.	Crossley.
Barrett.	Dunlap.
Barron.	Fain.
Beck.	Ford.

Fuchs.	Moore.
Glass.	Morse.
Golson.	Nicholson.
Goodman.	Parkhouse.
Graves.	Patterson.
Griffith.	Pavlica.
Haag.	Puryear.
Hankamer.	Ramsey.
Harman.	Ratliff.
Harris.	Ray.
Hartzog.	Reed of Bowie.
Hester.	Reed of Dallas.
Holekamp.	Renfro.
Holland.	Riddle.
Hoskins.	Roberts.
Hughes.	Rogers of Hunt.
Hunt.	Rogers
Hyder.	of Ochiltree.
Jackson.	Rollins.
James.	Ross.
Jones of Atascosa.	Savage.
Jones of Runnels.	Shannon.
Jones of Shelby.	Steward.
Kayton.	Stinson.
Kyle of Hays.	Stovall.
Kyle of Palo Pinto.	Tarwater.
Laird.	Tennyson.
Latham.	Thomas.
Leonard.	Townsend.
Lindsey.	Turlington.
Long.	Van Zandt.
Lotief.	Vaughan.
Mackay.	Wagstaff.
Magee.	Walker.
McClain.	Wells.
McCullough.	Winningham.
Mitcham.	Wood.
Moffett.	Young.

Nays—9

Burns.	McKee.
Cowley.	Merritt.
Dean.	Scarborough.
Good.	Scott.
Greathouse.	

Absent

Bourne.	Holloway.
Butler.	Huddleston.
Calvert.	Jefferson.
Camp.	Johnson
Caven.	of Anderson.
Clayton.	McGregor.
Daniel.	Metcalfe.
Davidson.	Morrison.
Dunagan.	Munson.
Duvall.	Palmer.
Engelhard.	Pope.
Few.	Russell.
Harrison.	Smith.
Head.	Tillery.
Hicks.	

Absent—Excused

Anderson	Colson.
of Bexar.	Cpombes.

Devall.	Lemens.
Dwyer.	Mathis.
Fisher.	McDougald.
Hill of Brazoria.	Reader.
Hill of Webb.	Shults.
Hodges.	Stanfield.
Johnson	Sullivant.
of Dimmit.	Weinert.

HOUSE BILL NO. 849 ON THIRD READING

Mr. Long moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 849 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—99

Adamson.	Kayton.
Aikin.	Kyle of Hays.
Alexander.	Kyle of Palo Pinto.
Alsup.	Laird.
Anderson	Latham.
of Johnson.	Leonard.
Baker.	Lindsey.
Barrett.	Long.
Barron.	Lotief.
Beck.	Magee.
Bedford.	Mackay.
Bourne.	McClain.
Bradley.	McCullough.
Burns.	McKee.
Canon.	Merritt.
Cathey.	Mitcham.
Celaya.	Moffett.
Chastain.	Moore.
Cowley.	Morrison.
Crossley.	Morse.
Dunlap.	Nicholson.
Fain.	Parkhouse.
Ford.	Patterson.
Fuchs.	Pavlica.
Glass.	Ramsey.
Golson.	Ratliff.
Good.	Ray.
Goodman.	Reed of Bowie.
Graves.	Reed of Dallas.
Griffith.	Renfro.
Haag.	Riddle.
Hankamer.	Roberts.
Harman.	Rogers of Hunt.
Harris.	Rogers
Hartzog.	of Ochiltree.
Hester.	Rollins.
Holekamp.	Ross.
Holland.	Savage.
Hoskins.	Scarborough.
Hughes.	Scott.
Hunt.	Shannon.
Hyder.	Steward.
Jackson.	Stinson.
James.	Stovall.
Jones of Runnels.	Thomas.
Jones of Shelby.	Townsend.

Turlington.
Van Zandt.
Vaughan.
Wagstaff.
Walker.

Wells.
Winningham.
Wood.
Young.

Nays—2

Daniel.

Greathouse.

Absent

Butler.	Jefferson.
Calvert.	Johnson
Camp.	of Anderson.
Caven.	Jones of Atascosa.
Clayton.	McGregor.
Davidson.	Metcalf.
Dean.	Munson.
Dunagan.	Palmer.
Duvall.	Pope.
Engelhard.	Purveyer.
Few.	Russell.
Harrison.	Smith.
Head.	Tarwater.
Hicks.	Tennyson.
Holloway.	Tillery.
Huddleston.	

Absent—Excused

Anderson	Johnson
of Bexar.	of Dimmit.
Colson.	Lemens.
Coombes.	Mathis.
Devall.	McDougald.
Dwyer.	Reader.
Fisher.	Shults.
Hill of Brazoria.	Stanfield.
Hill of Webb.	Sullivant.
Hodges.	Weinert.

The Speaker then laid House Bill No. 849 before the House on its third reading and final passage.

The bill was read third time, and was passed.

HOUSE BILL NO. 865 ON THIRD READING

Mr. Jones of Shelby moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 865 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—107

Adamson.	Barrett.
Aikin.	Barron.
Alexander.	Beck.
Alsup.	Bedford.
Anderson	Bourne.
of Johnson.	Bradley.
Baker.	Burns.

Calvert.
Canon.
Cathey.
Caven.
Celaya.
Chastain.
Cowley.
Crossley.
Daniel.
Dean.
Dunlap.
Fain.
Few.
Ford.
Fuchs.
Glass.
Golson.
Goodman.
Greathouse.
Griffith.
Haag.
Hankamer.
Harman.
Harris.
Hartzog.
Hester.
Holekamp.
Holland.
Hoskins.
Hughes.
Hyder.
Jackson.
James.
Jones of Atascosa.
Jones of Runnels.
Jones of Shelby.
Kayton.
Kyle of Hays.
Kyle of Palo Pinto.
Laird.
Latham.
Leonard.
Lindsey.
Long.
Lotief.
Mackay.
Magee.
McClain.

McCullough.
Merritt.
Mitcham.
Moffett.
Moore.
Morrison.
Morse.
Nicholson.
Parkhouse.
Patterson.
Pavlica.
Pope.
Purveyer.
Ramsey.
Ratliff.
Ray.
Reed of Bowie.
Reed of Dallas.
Renfro.
Riddle.
Roberts.
Rogers of Hunt.
Rogers
of Ochiltree.
Rollins.
Ross.
Russell.
Savage.
Scarborough.
Scott.
Shannon.
Steward.
Stinson.
Stovall.
Tarwater.
Tennyson.
Thomas.
Townsend.
Turlington.
Van Zandt.
Vaughan.
Wagstaff.
Walker.
Wells.
Winningham.
Wood.
Young.

Nays—2

Good.

Hunt.

Absent

Butler.	Huddleston.
Camp.	Jefferson.
Clayton.	Johnson
Davidson.	of Anderson.
Dunagan.	McGregor.
Duvall.	McKee.
Engelhard.	Metcalf.
Graves.	Munson.
Harrison.	Palmer.
Head.	Smith.
Hicks.	Tillery.
Holloway.	

Absent—Excused

Anderson	Johnson
of Bexar.	of Dimmit.
Colson.	Lemens.
Coombes.	Mathis.
Devall.	McDougald.
Dwyer.	Reader.
Fisher.	Shults.
Hill of Brazoria.	Stanfield.
Hill of Webb.	Sullivant.
Hodges.	Weinert.

The Speaker then laid House Bill No. 865 before the House on its third reading and final passage.

The bill was read third time, and was passed.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, May 27, 1933.
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has granted the request of the House for a conference committee on House Bill No. 47. The following have been appointed on the part of the Senate: Senators Neal, Woodul, Woodward, Purl, and Regan.

Respectfully,

BOB BARKER,
Secretary of the Senate.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 256

Mr. Harman submitted the following report of the conference committee on House Bill No. 256:

Committee Room,
Austin, Texas, May 23, 1933.
Hon. Edgar E. Witt, President of the Senate, and Hon. Coke Stevenson, Speaker of the House of Representatives.

Sirs: We, your conferees, heretofore appointed to adjust the differences between the two Houses on

H. B. No. 256, A bill to be entitled "An Act making an appropriation for the next two (2) fiscal years for the purpose of promoting the public school interests of rural schools and equalizing the school opportunities afforded by the State to all children of scholastic age living in small and financially weak districts, attaching

conditions, regulations, and limitations relative thereto, authorizing aid to such schools, etc., and declaring an emergency."

Having considered the differences between the two Houses and having reached an agreement, beg leave to report that the hereto attached completed bill is the bill which we recommend to be passed by both Houses.

We recommend the adoption of this report and the final passage by both Houses of the attached bill.

"H. B. No. 256,

A BILL

To Be Entitled

An Act appropriating three million dollars (\$3,000,000) per year, or so much thereof as may be necessary, for the next two (2) fiscal years for the purpose of promoting the public school interests of rural schools and equalizing the school opportunities afforded by the State to all children of scholastic age living in small and financially weak districts, attaching conditions, regulations, and limitations relative thereto, authorizing aid to such schools in accordance with the conditions herein specified; providing for the maintenance of all rural schools which meet the requirements of this Act a term of a certain length; providing assistance for rural schools that will afford instruction and demonstration in home and farm vocations; providing assistance in the formation and maintenance of rural high school districts according to a plan; providing for the use of an amount not to exceed a certain sum for the payment each year of the biennium of high school tuition or rural school pupils according to the provisions of Chapter 181, of the General Laws of the Fortieth Legislature, Regular Session, as amended by Senate Bill No. 10 passed at the First Called Session of the Forty-first Legislature and further amended by Senate Bill No. 41, Chapter 20, passed at the First Called Session of the Forty-second Legislature; providing for the payment of transportation and under certain conditions; providing for penalties for violation of any of the

provisions of this Act; providing for the administration of the funds appropriated herein by the State Board of Education and the State Superintendent of Public Instruction; providing for the manner of payment and disbursement of all moneys granted under the provisions of this Act; enacting other provisions necessary and incidental to the provisions of this Act; declaring the rule in event any provision of this Act is unconstitutional or invalid; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. Appropriation. For the purpose of promoting public school interest of rural schools and equalizing the educational opportunities afforded by the State to all children of scholastic age living in small and financially weak school districts, there is hereby appropriated out of the General Revenue, three million dollars (\$3,000,000) or so much thereof as may be necessary for the school year ending August 31, 1934, and three million dollars (\$3,000,000) or so much thereof as may be necessary for the school year ending August 31, 1935, to be allotted and expended in accordance with the provisions of this Act; provided, that any unexpended balance occurring at the close of the year 1934, may be transferred and added to the appropriation for the year ending August 31, 1935.

Sec. 2. Scholastic Population of District. State aid under the provisions of this Act may be distributed in such a way as to assist all schools of not fewer than twenty (20) scholastics and not more than four hundred (400) scholastics located in districts of not more than five hundred (500) scholastics, and consolidated districts which have an average of not more than two hundred (200) scholastics of each original district composing the consolidated unit, and all districts composed of entire counties having a scholastic population of less than five thousand (5,000); providing the provisions of this Section shall not apply to any school district containing forty-eight (48) square miles of territory or more, and further pro-

vided that the provisions of this Section shall not apply to any school district where sixty (60) per cent, or more, of its students are transported in public buses from the rural districts.

Sec. 3. Distance Between State Aid Schools. No aid shall be granted to any school under the provisions of this Act which is located within two and one-half miles of another school of the same race, unless on account of the condition of the roads and other physical features it is unreasonable and impracticable for the pupils to attend another school; provided that this restriction shall not apply to elementary schools in a consolidated district nor to any district which at some previous election has voted to remove such conditions by consolidation.

Sec. 4. Teacher Pupil Load. State aid under provisions of this Act shall be allotted upon the basis of one teacher for any number of scholastics from twenty to thirty-five and one additional teacher for each additional thirty scholastics, or fractional part thereof. The basis for calculation shall be the net scholastic enumeration of white or colored race, as the case may be, including the transfers into the district, and excluding the transfers out of the district for the current year, and there shall be deducted all scholastics who have completed the course of study in their home school, as authorized by the county board of trustees, provided that in unusual or extraordinary conditions of actual enrollment, an adjustment as to the number of teachers may be made by the State Superintendent, with the approval of the State Board of Education.

Sec. 5. Average Daily Attendance. No school shall be granted aid under the provisions of this Act whose average daily attendance is less than seventy (70) per cent of the scholastic census enrollment for either white or colored school. Provided, the provisions of this Act shall not apply to any school where there is any kind of epidemic of sickness. Districts where parochial schools are maintained are exempt from the provisions of this Section.

Sec. 6. Tax Levy. No school district shall be eligible to receive aid under the provisions of this Act un-

less it shall be providing for the annual support of its schools by voting, levying, and collecting for the current year a local school tax, exclusive of the tax for interest and sinking fund for bonds, of not less than 50 cents on the \$100 of property valuation in the entire district, or not less than 75 cents, inclusive of the tax for interest and sinking fund for bonds; and providing further, that the property valuation shall not be less than said property is valued for State and county purposes; provided, that the rate of tax required to be levied in this section shall not apply to transportation aid for counties whose schools are operated under the county unit system with a single governing board. Any school district that shall reduce its existing tax rate and/or tax rates, thereby enabling it to participate under this Act, shall not be eligible to receive aid from any of the funds herein provided.

Sec. 7. Taxable Wealth. No part of the aid herein provided for teachers' salaries shall be given to a school district with an assessed valuation in excess of three thousand dollars (\$3,000) per scholastic, as shown by the scholastic census, said valuation being assessed as provided heretofore; provided, that this section does not apply to school districts that levy and assess a \$1 tax on the \$100 valuation of taxable property.

Sec. 8. Salary Schedule. No part of the aid herein provided shall be used for increasing the monthly salary of any teacher, but the funds provided for in this Act shall be used for the exclusive purpose of extending the length of the school term of the schools situated in the district receiving such aid on the basis of a schedule of teachers' salaries to be determined by the State Superintendent of Public Instruction, with the approval of the State Board of Education.

Sec. 9. Standard Schools. All State aid schools of the unaffiliated class shall provide a term of approximately eight months. These schools shall be so classified by the county school board as to provide as near as possible an eight months' term out of State, county, and local funds. Should there not be sufficient funds to maintain the school as herein stated, then State aid may be granted, subject to other provisions of this Act; provided, that

road conditions would prevent the transportation to nearest accredited high school.

Sec. 10. High School Tuition. It is hereby expressly provided that a sufficient amount of the funds appropriated by this Act shall be used for the payment of high school tuition not to exceed seven dollars and fifty cents (\$7.50) per pupil per month. High school tuition shall be paid according to the provisions of Chapter 181, of the General Laws of the Fortieth Legislature, Regular Session, as amended by Senate Bill No. 10, passed at the First Called Session of the Forty-first Legislature, and as further amended by Senate Bill No. 41, Chapter 20, passed by the First Called Session of the Forty-second Legislature.

Sec. 11. Transportation Aid. The county superintendent and county school board are hereby authorized to set up a system of transportation for the purpose of transporting high school pupils from their districts, where their grade is not taught, to the most convenient accredited high school. The expense of such transportation shall be paid out of funds hereby provided, not to exceed two dollars (\$2) per pupil per month. Provided further, that in districts composing an entire county, high school transportation aid as authorized in this section may be granted for the purpose of transporting high school pupils within such districts to the most convenient accredited high school located in the county.

It is further provided, that the districts through which these buses travel may make provisions with the county superintendent and county school board to have any other children not provided for herein, transported within and between their respective districts, and said districts may make application for State aid thereon to an amount not to exceed one dollar (\$1) per month per pupil. Provided, that where regular buses do not run in sparsely settled sections of counties which are operating under a county unit system, the county school board and county superintendent are authorized to make provisions for the transportation of pupils other than high school pupils within said districts, and may make application for State aid thereon to an amount not to exceed one dollar

(\$1) per month per pupil. Provided, that all school districts containing one hundred (100) square miles of territory, or more, may receive transportation aid of two dollars (\$2) per month per pupil.

Sec. 12. Penalty Provision. Any district violating any of the provisions of this Act, or any rules or regulations adopted by the State Board of Education, shall forfeit all rights to such aid and can be disqualified to receive any aid of any nature under any section of this Act for the current year. Should any school which would otherwise be eligible to receive aid agree, provide, or contract with teachers to pay a smaller monthly salary during the remainder of the term following the granting of aid, provided out of local funds, than is paid out of State funds, then such school shall forfeit its right to receive aid.

Sec. 13. Industrial Aid. State aid may be granted to any one school in the district employing three (3) or more teachers, which will provide for the proper instruction and demonstration in farm mechanics, agriculture, and home economics, according to a program approved by the State Department of Education, and which shall be employing a teacher or teachers whose qualifications shall be approved by the State Superintendent of Public Instruction; provided, that the maximum aid to be granted for each of the above courses can not exceed one hundred dollars (\$100) per year.

Sec. 14. Powers of State Board of Education and of State Superintendent of Public Instruction. It shall be the duty of the State Board of Education, and it is hereby authorized to take such action and to make such rules and regulations not inconsistent with the terms of this Act as may be necessary to carry out the provisions and intentions of this Act, and for the best interest of the schools for whose benefit the funds are appropriated. It shall be the duty of the State Superintendent of Public Instruction to appoint an inspector to make a thorough investigation in person of the grounds, buildings, equipment, teaching forces, and financial condition of each school, applying for aid; and no aid shall be given unless it can be shown that all provisions of this Act and regulations

made by the State Board of Education have been complied with, and that such amount of aid is actually needed. Provided further, that the State Superintendent of Education shall not appoint to exceed sixteen (16) inspectors and two (2) stenographers under this Act.

Sec. 15. All schools not having over four teachers and not having received State aid heretofore, may receive ten dollars (\$10) per teacher for library books from this fund, if the amount received is duplicated by local funds from any source. Every classroom school applying for this library aid must either have a library room, a library case, or shelves with a locker. The books must be selected from the library bulletins prepared by the State Department of Education and a list of the books purchased must be filed with the county superintendent. The money raised by the school applying for this aid must be deposited in a bank or vouched for by the county superintendent. Schools may qualify for this aid each year during the biennium. There shall be no local tax requirements for library aid.

Sec. 16. Application for Aid. The trustees of schools authorized in Section 2 of this Act may send to the State Superintendent, on forms provided by the State Department of Education, a list of the teachers employed in the school showing the monthly salary, experience and training of each, together with an itemized statement of expected receipts and expenditures, the length of term, and such other information as may be required, and the State Superintendent with the approval of the State Board of Education, may then grant to the school such an amount of this fund as will, with the State and county available funds, together with the local funds, maintain the school for a term not to exceed nine (9) months and approximately eight (8) months; provided, that if the school has sufficient State and county available funds to maintain the school for an eight (8) months' term, according to the salary schedule adopted by the State Board of Education, or with its local maintenance tax, to maintain the desired term, not to exceed nine (9) months, as provided in Section 2, it shall not be eligible to receive State aid; pro-

vided further, that the county superintendent shall approve all contracts with teachers, supervising officers, and bus drivers in all schools before such schools may be eligible to receive State aid under any provisions of this Act.

Sec. 17. Equalization Fund. Any county in this State that has a special equalization fund derived from State and county available funds and which contributes to the said funds for the benefit of its rural schools out of its own funds as much as forty thousand dollars (\$40,000) per annum, shall receive from the appropriation herein provided, fifteen thousand dollars (\$15,000) for each year of the biennium to supplement the equalization fund thereof for all purposes, without inspections being made by the State Department of Education, provided, such counties, in addition to such State aid, may be granted reimbursement for high school tuition.

Sec. 18. Counties with Less Than 1,400 Scholastics. It is hereby provided that schools in sparsely settled counties having less than fourteen hundred (1,400) scholastic population in the common school districts, may be exempted from the minimum restriction of twenty (20) scholastics; provided, that each district applying for aid is levying and collecting the limit of local support as provided in Section 6 of this Act. Provided the State Department of Education may grant aid to schools in sparsely settled districts without regard to the number of scholastics or the duration of the term of each school.

Sec. 19. Transfer of Entire District. On the agreement of the board of trustees of the district concerned or on petition signed by a majority of the qualified voters of the district and subject to the approval of the county superintendent and the State Superintendent, the trustees of a district which may be unable to maintain a satisfactory school may transfer its entire scholastic enrollment, or any number of grades thereof, to a convenient school of higher rank, and in such event all of the funds of the district, including the State aid to which the district would otherwise be entitled to under the provisions of this Act, or such proportionate part

thereof as may be necessary, may be used in carrying out the said agreement.

Sec. 20. Disbursement. Warrants for all money granted under the provisions of this Act shall be transmitted by the State Superintendent of Public Instruction to treasurers of depositories of school districts to which State aid is granted in the same manner as warrants for State apportionments are now transmitted, and it shall be the duty of all treasurers of depositories to make annually itemized reports under oath to the State Superintendent of Public Instruction of the expenditures of all money granted under the provisions of this Act.

Sec. 21. In counties which constitute a single school district and in which there is no governing body designated as the county school board, the duties authorized by this Act to be performed by the county school board are hereby conferred upon the existing governing bodies of such districts.

Sec. 22. Miscellaneous Provisions. Rural schools accepting the provisions of this Act shall be entitled to share in the distribution of State and county available school funds and in all other school funds in the same manner as all other school districts; and in case high school grades are maintained, the community shall still be entitled to participate in the distribution of any State aid that may be extended by the Legislature of Texas for vocational or industrial purposes to high schools of the State; provided, however, that no school or school district shall be denied rural State aid for failure or refusal to buy any books, equipment, charts and/or school supplies offered by any person, firm, or corporation unless the minutes of the State Board of Education of Texas show that said books, equipment, charts, and/or supplies were approved by a majority vote of said State Board of Education.

Sec. 23. It shall be the duty of the State Board of Education and the State Superintendent of Public Instruction to pay by warrant not more than fifty (50) per cent of the total amount allotted to any one school as an initial payment, and that the remaining payments shall be made on

a percentage basis to the schools in such manner and amounts that the total expenditures for any one year shall not exceed the total appropriation for that year.

It is specifically provided herein that the State Board of Education and the State Superintendent of Public Instruction shall not pledge the State nor incur obligations against the Rural Aid Fund in any amount or in any one year in excess of the amount herein appropriated.

The State Board of Education and the State Superintendent of Public Instruction are hereby prohibited from paying any one or more schools its or their allotment in an amount greater, on a percentage basis, than is paid any other school. This provision shall apply to all allotments and claims and or appropriations provided for in this measure.

Sec. 24. It shall be unlawful for any county school superintendent, or the superintendent of any common or independent school district, school teacher, county trustee and/or district trustee, nor any other person directly or indirectly to use or promise to use, pay or promise to pay, any of the funds herein appropriated for the purpose of paying the salary and/or expenses of any person or persons to maintain a lobby for any purpose. Violation of this provision shall forfeit the right or rights of the county or any school district in the county from participating in the funds herein appropriated.

Sec. 25. Repealing and Constitutional Clauses. All laws or parts of laws in conflict herewith are hereby repealed, and in the event any provision of this Act is unconstitutional or invalid the remainder of this Act shall, nevertheless, remain in effect.

Sec. 26. Emergency Clause. The fact that many schools in rural districts are in need of aid, and that public policy requires that proper provision be made for the maintenance and support of the schools with as little delay as possible, and the further fact that considerable time is required in preparation for carrying out the terms of this Act, create an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read on three several days, be, and

the same is hereby, suspended and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Respectfully submitted,

PACE,
SANDERFORD,
DUGGAN,

On the part of the Senate;

HARMAN,
RIDDLE,
SCOTT,

On the part of the House.

Mr. Harman moved that the report be adopted.

Mr. Camp moved that the report be postponed until 10 o'clock a. m., next Monday.

Mr. Aikin moved that the report be not adopted.

Question first recurring on the motion by Mr. Camp, it was lost by the following vote:

Yeas—43

Aikin.	Kyle of Hays.
Anderson	Leonard.
of Johnson.	Lindsey.
Barrett.	Lotief.
Bourne.	McClain.
Bradley.	McKee.
Burns.	Mitcham.
Camp.	Moffett.
Canon.	Moore.
Cathey.	Morse.
Chastain.	Palmer.
Fuchs.	Parkhouse.
Glass.	Patterson.
Good.	Puryear.
Graves.	Rogers of Hunt.
Hartzog.	Rogers
Hester.	of Ochiltree.
Holland.	Rollins.
Hughes.	Ross.
Hunt.	Scarborough.
James.	Wood.
Jones of Runnels.	Young.
Jones of Shelby.	

Nays—64

Adamson.	Cowley.
Alexander.	Crossley.
Alsup.	Daniel.
Baker.	Davidson.
Barron.	Dean.
Beck.	Fain.
Bedford.	Ford.
Calvert.	Golson.
Caven.	Goodman.
Celaya.	Greathouse.

Griffith.	Reed of Bowie.
Haag.	Reed of Dallas.
Hankamer.	Renfro.
Harman.	Riddle.
Harris.	Roberts.
Holekamp.	Russell.
Hyder.	Savage.
Jackson.	Scott.
Jones of Atascosa.	Shannon.
Laird.	Steward.
Latham.	Stinson.
Long.	Stovall.
Mackay.	Tarwater.
Magee.	Tennyson.
McCullough.	Thomas.
Merritt.	Townsend.
Morrison.	Turlington.
Nicholson.	Vaughan.
Pavlica.	Wagstaff.
Ramsey.	Walker.
Ratliff.	Wells.
Ray.	Winningham.

Absent

Butler.	Jefferson.
Clayton.	Johnson
Dunlap.	of Anderson.
Dunagan.	Kayton.
Duvall.	Kyle of Palo Pinto.
Engelhard.	McGregor.
Few.	Metcalfe.
Harrison.	Munson.
Head.	Pope.
Hicks.	Smith.
Holloway.	Tillery.
Hoskins.	Van Zandt.
Huddleston.	

Absent—Excused

Anderson	Johnson
of Bexar.	of Dimmit.
Colson.	Lemens.
Coombes.	Mathis.
Devall.	McDougald.
Dwyer.	Reader.
Fisher.	Shults.
Hill of Brazoria.	Stanfield.
Hill of Webb.	Sullivant.
Hodges.	Weinert.

Question then recurring on the motion by Mr. Aikin, it was lost by the following vote:

Yeas—39

Aikin.	Daniel.
Anderson	Fain.
of Johnson.	Fuchs.
Beck.	Glass.
Bourne.	Griffith.
Bradley.	Harris.
Burns.	Hartzog.
Canon.	Hester.
Cathey.	Hunt.
Cowley.	Hyder.

Jones of Runnels.	Morrison.
Jones of Shelby.	Palmer.
Kyle of Hays.	Puryear.
Laird.	Rogers of Hunt.
Lindsey.	Rogers
Lotief.	of Ochiltree.
Magee.	Rollins.
McClain.	Turlington.
McCullough.	Vaughan.
Mitcham.	Wood.
Moffett.	

Nays—65

Adamson.	Merritt.
Alexander.	Moore.
Alsup.	Morse.
Baker.	Nicholson.
Bedford.	Parkhouse.
Calvert.	Patterson.
Camp.	Pavlica.
Caven.	Ratliff.
Celaya.	Ray.
Chastain.	Reed of Bowie.
Crossley.	Reed of Dallas.
Davidson.	Renfro.
Dean.	Riddle.
Ford.	Roberts.
Golson.	Ross.
Good.	Russell.
Goodman.	Savage.
Graves.	Scarborough.
Greathouse.	Scott.
Haag.	Shannon.
Hankamer.	Steward.
Harman.	Stinson.
Holekamp.	Stovall.
Holland.	Tarwater.
Hughes.	Tennyson.
Jackson.	Thomas.
James.	Townsend.
Jones of Atascosa.	Wagstaff.
Latham.	Walker.
Leonard.	Wells.
Long.	Winningham.
Mackay.	Young.
McKee.	

Absent

Barrett.	Huddleston.
Barron.	Jefferson.
Butler.	Johnson
Clayton.	of Anderson.
Dunlap.	Kayton.
Dunagan.	Kyle of Palo Pinto.
Duvall.	McGregor.
Engelhard.	Metcalfe.
Few.	Munson.
Harrison.	Pope.
Head.	Ramsey.
Hicks.	Smith.
Holloway.	Tillery.
Hoskins.	Van Zandt.

Absent—Excused

Anderson	Coombes.
of Bexar.	Devall.
Colson.	Dwyer.

Fisher.	Mathis.
Hill of Brazoria.	McDougald.
Hill of Webb.	Reader.
Hodges.	Shults.
Johnson	Stanfield.
of Dimmit.	Sullivant.
Lemens.	Weinert.

Question next recurring on the motion by Mr. Harman, that the report be adopted, it prevailed by the following vote:

Yeas—86

Adamson.	Leonard.
Aikin.	Long.
Alexander.	Mackay.
Alsup.	Magee.
Anderson	McClain.
of Johnson.	McCullough.
Baker.	McKee.
Barrett.	Merritt.
Barron.	Moffett.
Bedford.	Moore.
Bradley.	Morrison.
Burns.	Morse.
Calvert.	Nicholson.
Camp.	Palmer.
Canon.	Parkhouse.
Caven.	Patterson.
Celaya.	Pavlica.
Chastain.	Ramsey.
Cowley.	Ratliff.
Crossley.	Ray.
Davidson.	Reed of Dallas.
Dean.	Renfro.
Dunlap.	Riddle.
Ford.	Roberts.
Glass.	Rogers of Hunt.
Golson.	Ross.
Good.	Russell.
Goodman.	Savage.
Graves.	Scarborough.
Greathouse.	Scott.
Haag.	Shannon.
Hankamer.	Steward.
Harman.	Stinson.
Harris.	Stovall.
Hester.	Tarwater.
Holekamp.	Tennyson.
Holland.	Thomas.
Hughes.	Townsend.
Hyder.	Turlington.
Jackson.	Wagstaff.
James.	Walker.
Jones of Atascosa.	Wells.
Jones of Shelby.	Winningham.
Latham.	Young.

Nays—21

Beck.	Hartzog.
Bourne.	Hunt.
Cathey.	Jones of Runnels.
Daniel.	Kyle of Hays.
Fain.	Laird.
Fuchs.	Lindsey.
Gr fifth.	Lotief.

Mitcham.	Rollins.
Puryear.	Vaughan.
Reed of Bowie.	Wood.
Rogers of Ochiltree.	

Absent

Butler.	Jefferson.
Clayton.	Johnson
Dunagan.	of Anderson.
Duvall.	Kayton.
Engelhard.	Kyle of Palo Pinto.
Few.	McGregor.
Harrison.	Metcalfe.
Head.	Munson.
Hicks.	Pope.
Holloway.	Smith.
Hoskins.	Tillery.
Huddleston.	Van Zandt.

Absent—Excused

Anderson	Johnson
of Bexar.	of Dimmit.
Colson.	Lemens.
Coombes.	Mathis.
Devall.	McDougald.
Dwyer.	Reader.
Fisher.	Shults.
Hill of Brazoria.	Stanfield.
Hill of Webb.	Sullivant.
Hodges.	Weinert.

CHANGE IN CONFERENCE COMMITTEE ON SENATE CONCURRENT RESOLUTION NO. 71

The Speaker announced the appointment of Mr. Hankamer to take the place of Mr. Engelhard on the conference committee on Senate Concurrent Resolution No. 71.

CONFERENCE COMMITTEE REPORT ON SENATE CONCURRENT RESOLUTION NO. 71

Mr. Hankamer submitted the following conference committee report on Senate Concurrent Resolution No. 71:

Committee Room,
Austin, Texas, May 27, 1933.

Hon. Edgar E. Witt, President of the Senate, and Hon. Coke Stevenson, Speaker of the House of Representatives.

Sirs: We, your conference committee, appointed to adjust the differences between the House and Senate on Senate Concurrent Resolution No. 71, beg leave to report that we have agreed to recommend that the said resolution be amended to read as follows:

"Be it resolved by the Senate of the State of Texas, the House of Representatives concurring, That the Regu-

lar Session of the Forty-third Legislature stand adjourned sine die at 12 noon, Thursday, June 1, 1933."

Respectfully submitted,

SMALL,
WOODWARD,
WOODUL,
RUSSEK,
SANDERFORD,

On the part of the Senate;

HANKAMER,
VAUGHAN,
GOODMAN,
WAGSTAFF,
DUNLAP,

On the part of the House.

Mr. Hankamer moved that the report be adopted.

Mr. Lotief moved that the report be not adopted.

Mr. Laird moved that the conference committee report be laid on the table subject to call.

Mr. Alexander moved the previous question on the pending motions and the report, and the main question was ordered.

Question first recurring on the motion by Mr. Laird, it was lost by the following vote:

Yeas—40

Aikin.	Kyle of Hays.
Anderson	Laird.
of Johnson.	Leonard.
Barrett.	Lotief.
Bradley.	McKee.
Canon.	Mitcham.
Cathey.	Morrison.
Chastain.	Palmer.
Colson.	Roberts.
Daniel.	Rogers of Hunt.
Fuchs.	Rogers
Glass.	of Ochiltree.
Golson.	Rollins.
Good.	Ross.
Graves.	Russell.
Griffith.	Scarborough.
Harris.	Stinson.
Hartzog.	Townsend.
Hester.	Van Zandt.
Hunt.	Wood.
Jones of Shelby.	Young.

Nays—63

Adamson.	Burns.
Alexander.	Calvert.
Alsup.	Caven.
Baker.	Celaya.
Bedford.	Cowley.
Bourne.	Crossley.

Davidson.	Morse.
Dean.	Nicholson.
Dunlap.	Parkhouse.
Fain.	Patterson.
Ford.	Pavlica.
Goodman.	Purveyar.
Greathouse.	Ratliff.
Hankamer.	Ray.
Harman.	Reed of Bowie.
Holekamp.	Reed of Dallas.
Hughes.	Renfro.
Hyder.	Riddle.
Jackson.	Savage.
James.	Shannon.
Jones of Atascosa.	Steward.
Jones of Runnels.	Stovall.
Latham.	Tarwater.
Lindsey.	Tennyson.
Long.	Thomas.
Mackay.	Turlington.
Magee.	Vaughan.
McClain.	Wagstaff.
McCullough.	Walker.
Merritt.	Wells.
Moffett.	Winningham.
Moore.	

Absent

Barron.	Hoskins.
Beck.	Huddleston.
Butler.	Jefferson.
Camp.	Johnson
Clayton.	of Anderson.
Dunagan.	Kayton.
Duvall.	Kyle of Palo Pinto.
Engelhard.	McGregor.
Few.	Metcalfe.
Haag.	Munson.
Harrison.	Pope.
Head.	Ramsey.
Hicks.	Scott.
Holland.	Smith.
Holloway.	Tillery.

Absent—Excused

Anderson	Johnson
of Bexar.	of Dimmit.
Coombes.	Lemens.
Devall.	Mathis.
Dwyer.	McDougald.
Fisher.	Reader.
Hill of Brazoria.	Shults.
Hill of Webb.	Stanfield.
Hodges.	Sullivant.
	Weinert.

Question next recurring on the motion by Mr. Lotief, it was lost.

Question then recurring on the adoption of the conference committee report on Senate Concurrent Resolution No. 71, it prevailed by the following vote:

Yeas—101

Adamson.	Alexander.
Aikin.	Alsup.

Anderson of Johnson.	Mackay.
Baker.	Magee.
Barrett.	McClain.
Barron.	McCullough.
Beck.	McKee.
Bedford.	Merritt.
Bourne.	Mitcham.
Burns.	Moffett.
Calvert.	Moore.
Camp.	Morrison.
Canon.	Morse.
Cathey.	Nicholson.
Caven.	Palmer.
Celaya.	Parkhouse.
Chastain.	Patterson.
Colson.	Pavlica.
Cowley.	Puryear.
Crossley.	Ratliff.
Daniel.	Ray.
Davidson.	Reed of Bowie.
Dean.	Reed of Dallas.
Dunlap.	Renfro.
Fain.	Riddle.
Ford.	Roberts.
Fuchs.	Rogers of Hunt.
Glass.	Rogers of Ochiltree.
Golson.	Rollins.
Good.	Ross.
Goodman.	Russell.
Greathouse.	Savage.
Griffith.	Scarborough.
Hankamer.	Scott.
Harman.	Shannon.
Harris.	Steward.
Hartzog.	Stovall.
Hester.	Tarwater.
Holekamp.	Tennyson.
Holland.	Thomas.
Hughes.	Townsend.
Hyder.	Turlington.
Jackson.	Van Zandt.
James.	Vaughan.
Jones of Atascosa.	Wagstaff.
Jones of Runnels.	Walker.
Jones of Shelby.	Wells.
Laird.	Winningham.
Latham.	Wood.
Lindsey.	Young.
Long.	
Nays—7	
Bradley.	Leonard.
Graves.	Lotief.
Hunt.	Stinson.
Kyle of Hays.	
Absent	
Butler.	Hicks.
Clayton.	Holloway.
Dunagan.	Hoskins.
Duvall.	Huddleston.
Engelhard.	Jefferson.
Few.	Johnson
Haag.	of Anderson.
Harrison.	Kayton.
Head.	Kyle of Palo Pinto.

McGregor.	Ramsey.
Metcalfe.	Smith.
Munson.	Tillery.
Pope.	

Absent—Excused

Anderson of Bexar.	Johnson of Dimmit.
Coombes.	Lemens.
Devall.	Mathis.
Dwyer.	McDougald.
Fisher.	Reader.
Hill of Brazoria.	Shults.
Hill of Webb.	Stanfield.
Hodges.	Sullivant.
	Weinert.

Mr. Vaughan moved to reconsider the vote by which the report was adopted, and to table the motion to reconsider.

Question then recurring on the motion to table, it was lost by the following vote:

Yeas—35

Adamson.	Moffett.
Alsup.	Morse.
Baker.	Nicholson.
Bedford.	Pavlica.
Calvert.	Rogers of Hunt.
Celaya.	Rogers
Cowley.	of Ochiltree.
Dean.	Savage.
Dunlap.	Scott.
Fain.	Shannon.
Goodman.	Steward.
Hughes.	Stovall.
Hyder.	Tarwater.
James.	Thomas.
Kyle of Palo Pinto.	Turlington.
Magee.	Vaughan.
McCullough.	Wells.
Merritt.	Winningham.

Nays—67

Aikin.	Good.
Alexander.	Graves.
Barrett.	Greathouse.
Barron.	Griffith.
Beck.	Harris.
Bourne.	Hartzog.
Bradley.	Hester.
Burns.	Holland.
Camp.	Hunt.
Canon.	Jackson.
Cathey.	Jones of Runnels.
Caven.	Jones of Shelby.
Chastain.	Kyle of Hays.
Colson.	Laird.
Crossley.	Latham.
Daniel.	Leonard.
Davidson.	Lindsey.
Ford.	Long.
Fuchs.	Lotief.
Glass.	Mackay.
Golson.	McKee.

Mitcham.	Rollins.
Moore.	Ross.
Morrison.	Russell.
Palmer.	Scarborough.
Parkhouse.	Stinson.
Patterson.	Tennyson.
Puryear.	Townsend.
Ratliff.	Van Zandt.
Ray.	Wagstaff.
Reed of Bowie.	Walker.
Reed of Dallas.	Wood.
Riddle.	Young.
Roberts.	

Absent

Anderson	Hoskins.
of Johnson.	Huddleston.
Butler.	Jefferson.
Clayton.	Johnson
Dunagan.	of Anderson.
Duvall.	Jones of Atascosa.
Engelhard.	Kayton.
Few.	McClain.
Haag.	McGregor.
Hankamer.	Metcalfe.
Harman.	Munson.
Harrison.	Pope.
Head.	Ramsey.
Hicks.	Renfro.
Holekamp.	Smith.
Holloway.	Tillery.

Absent—Excused

Anderson	Johnson
of Bexar.	of Dimmit.
Coombes.	Lemens.
Devall.	Mathis.
Dwyer.	McDougald.
Fisher.	Reader.
Hill of Brazoria.	Shults.
Hill of Webb.	Stanfield.
Hodges.	Sullivan.
	Weinert.

REASON FOR VOTE

I vote "nay" on the adoption of the conference committee report on Senate Concurrent Resolution No. 71, because the Legislature has not fulfilled campaign pledges to the people for the adoption of a system of taxation based upon the ability to pay; neither has this Legislature provided funds sufficient to pay at least fourteen or sixteen dollars on the per capita apportionment for the public school children of Texas. This Legislature has not balanced the budget, and for that reason is impairing the credit of the State. There is work to be done in order to carry out the above-mentioned campaign pledges, and thus keep faith with the people and school children of Texas. Until the Forty-third Legislature acts to this end, it is false economy in

every sense of the word for sine die adjournment June 1, 1933.

KYLE of Hays.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, May 27, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has refused to concur in House amendments to Senate Bill No. 259, and requests the appointment of a conference committee. The following have been appointed on the part of the Senate: Senators Small, Stone, Woodruff, Duggan, and Rawlings.

The Senate has adopted conference committee report on Senate Concurrent Resolution No. 71 by a viva voce vote.

Respectfully,

BOB BARKER,
Secretary of the Senate.

RELATIVE TO HOUSE BILL
NO. 560

On motion of Mr. Hankamer, by unanimous consent of the House, the caption of House Bill No. 560 was ordered amended to conform to all changes made in the body of the bill.

CONFERENCE COMMITTEE RE-
PORT ON SENATE BILL
NO. 492

Mr. Beck submitted the following conference committee report on Senate Bill No. 492:

Committee Room,
Austin, Texas, May 27, 1933.

Hon. Edgar E. Witt, President of the Senate, and Hon. Coke Stevenson, Speaker of the House of Representatives.

Sirs: We, your conference committee, appointed to adjust the differences between the two Houses on Senate Bill No. 492, have had the same under consideration, and we recommend that said bill be passed in the form as attached hereto.

"S. B. No. 492,

A BILL

To Be Entitled

An Act to amend Chapter 8, Title 78, Revised Civil Statutes of 1925, per-

mitting the organization of fraternal benefit societies on a limited basis; providing requirements to be met before permit is issued to such society by the Insurance Department of Texas; limiting operation of such societies to the State of Texas; providing that societies organized hereunder shall be subject to all provisions of Chapter 8, Revised Civil Statutes of 1925, not in conflict herewith; limiting the operation of this provision; repealing all laws in conflict; and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. That Chapter 8, Title 78, of the Revised Civil Statutes of 1925, be amended by adding thereto a new provision to be known as Article 4838-a, which shall read as follows:

"Article 4838-a. Societies may be incorporated in the manner prescribed by this Chapter for the organization of fraternal benefit societies, which shall have power only to transact business within the State of Texas; and to issue certificates providing for a maximum benefit of not exceeding three hundred dollars (\$300) on the weekly or monthly premium plan. Such society or societies shall be issued a certificate of authority in accordance with the provisions of this Chapter. When it shall have received five hundred (500) bona fide applications on which at least one monthly payment has been made, which said payments in the aggregate shall in no case be less than eight hundred dollars (\$800)."

Sec. 2. Provided that the advantages and privileges granted under this Act shall be as follows: Permits to organize under this Act may be granted until January 1, 1934, at which date it shall be necessary for the holder or holders of such permits to have two hundred and fifty (250) bona fide applications on which at least one monthly payment has been made, and the remaining two hundred and fifty (250) bona fide applications, on which one monthly payment has been made, shall be completed within a period of six (6) months before a permanent certificate may be issued, provided that all other provisions in Section 1 of this Act have been met.

Sec. 3. The fact that there is now no law under which a fraternal benefit society may be organized and operated on a limited basis, and afford protection to persons of limited means creates an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read on three several days, be suspended, and this Act take effect and be in force from and after its passage; and it is so enacted.

Respectfully submitted,

BECK,
PACE,
PURL,
REGAN,
MOORE,

On the part of the Senate;

BECK,
MORRISON,
LINDSEY,
CROSSLEY,

On the part of the House.

On motion of Mr. Beck, the report was adopted by the following vote:

Yeas—100

Adamson.	Griffith.
Aikin.	Haag.
Alsup.	Hankamer.
Anderson	Harris.
of Johnson.	Hester.
Baker.	Holekamp.
Barrett.	Holland.
Barron.	Hughes.
Beck.	Hunt.
Bedford.	Hyder.
Bourne.	Jackson.
Bradley.	James.
Burns.	Jones of Runnels.
Calvert.	Jones of Shelby.
Canon.	Kyle of Hays.
Cathey.	Laird.
Caven.	Latham.
Celaya.	Leonard.
Chastain.	Lindsey.
Colson.	Lotief.
Cowley.	Magee.
Crossley.	Mackay.
Daniel.	McClain.
Davidson.	McCullough.
Dean.	McKee.
Dunlap.	Merritt.
Fain.	Mitcham.
Ford.	Moffett.
Fuchs.	Moore.
Glass.	Morrison.
Golson.	Morse.
Good.	Nicholson.
Goodman.	Palmer.
Greathouse.	Parkhouse.

Patterson.	Scarborough.
Pavlica.	Scott.
Puryear.	Shannon.
Ramsey.	Steward.
Ratliff.	Stinson.
Ray.	Stovall.
Reed of Bowie.	Tarwater.
Reed of Dallas.	Tennyson.
Riddle.	Thomas.
Roberts.	Townsend.
Rogers of Hunt.	Turlington.
Rogers	Van Zandt.
of Ochiltree.	Vaughan.
Rollins.	Wagstaff.
Ross.	Walker.
Russell.	Winningham.
Savage.	Wood.

Present—Not Voting

Alexander.

Absent

Butler.	Jefferson.
Camp.	Johnson
Clayton.	of Anderson.
Dunagan.	Jones of Atascosa.
Duvall.	Kayton.
Engelhard.	Kyle of Palo Pinto.
Few.	Long.
Graves.	McGregor.
Harman.	Metcalfe.
Harrison.	Munson.
Hartzog.	Pope.
Head.	Renfro.
Hicks.	Smith.
Holloway.	Tillery.
Hoskins.	Wells.
Huddleston.	Young.

Absent—Excused

Anderson	Johnson of Dimmit.
of Bexar.	Lemens.
Coombes.	Mathis.
Devall.	McDougald.
Dwyer.	Reader.
Fisher.	Shults.
Hill of Brazoria.	Stanfield.
Hill of Webb.	Sullivant.
Hodges.	Weinert.

NOTICE GIVEN

Mrs. Hughes gave notice that she would, on the next legislative day, call up the motion to reconsider the vote by which Senate Bill No. 395 was passed; which motion to reconsider was heretofore spread on the Journal.

CONFERENCE COMMITTEE ON
SENATE BILL NO. 259

On motion of Mr. Patterson, the House granted the request of the Senate for the appointment of a conference committee on Senate Bill No. 259.

HOUSE BILL NO. 14 WITH SEN-
ATE AMENDMENTS

Mr. Moffett called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 14, A bill to be entitled "An Act to amend Article 7043, of the Revised Civil Statutes, 1925, as amended by Chapter 23, Acts of the Third Called Session, Forty-first Legislature, as amended by Chapter 32, Acts Second Called Session, Forty-first Legislature, relating to ascertaining tax rate, and declaring an emergency."

The Speaker laid the bill before the House, with the Senate amendments.

On motion of Mr. Moffett, the House concurred in the Senate amendments by the following vote:

Yeas—94

Adamson.	Jones of Runnels.
Aikin.	Jones of Shelby.
Alexander.	Kyle of Hays.
Alsup.	Laird.
Anderson	Latham.
of Johnson.	Leonard.
Baker.	Lindsey.
Barrett.	Long.
Barron.	Lotief.
Beck.	Magee.
Bourne.	Mackay.
Bradley.	McClain.
Calvert.	McCullough.
Camp.	McKee.
Canon.	Merritt.
Cathey.	Mitcham.
Caven.	Moffett.
Celaya.	Moore.
Chastain.	Morrison.
Cowley.	Morse.
Crossley.	Palmer.
Davidson.	Parkhouse.
Dean.	Patterson.
Fain.	Pavlica.
Ford.	Puryear.
Fuchs.	Ratliff.
Glass.	Reed of Bowie.
Golson.	Reed of Dallas.
Good.	Renfro.
Goodman.	Riddle.
Graves.	Roberts.
Griffith.	Rogers of Hunt.
Haag.	Rollins.
Hankamer.	Ross.
Harman.	Russell.
Harris.	Savage.
Hester.	Scarborough.
Holekamp.	Scott.
Holland.	Shannon.
Hyder.	Steward.
Jackson.	Stinson.
James.	Stovall.

Tarwater.	Wagstaff.
Tennyson.	Walker.
Thomas.	Wells.
Townsend.	Winningham.
Turlington.	Wood.
Vaughan.	

Nays—7

Bedford.	Ray.
Burns.	Rogers
Daniel.	of Ochiltree.
Hughes.	Van Zandt.

Absent

Butler.	Jefferson.
Clayton.	Johnson
Dunlap.	of Anderson.
Dunagan.	Jones of Atascosa.
Duvall.	Kayton.
Engelhard.	Kyle of Palo Pinto.
Few.	McGregor.
Greathouse.	Metcalfe.
Harrison.	Munson.
Hartzog.	Nicholson.
Head.	Pope.
Hicks.	Ramsey.
Holloway.	Smith.
Hoskins.	Tillery.
Huddleston.	Young.
Hunt.	

Absent—Excused

Anderson	Johnson
of Bexar.	of Dimmit.
Colson.	Lemens.
Coombes.	Mathis.
Devall.	McDougald.
Dwyer.	Reader.
Fisher.	Shults.
Hill of Brazoria.	Stanfield.
Hill of Webb.	Sullivant.
Hodges.	Weinert.

Mr. Moffett moved to reconsider the vote by which the House concurred in the Senate amendments, and asked to have the motion to reconsider spread on the Journal.

Mr. Moffett gave notice that he would, on the next legislative day, call up the motion to reconsider the vote by which the House concurred in the Senate amendments to House Bill No. 14.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, May 27, 1933.
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has granted the request of the House for a conference committee on House Bill No. 555. The following have

been appointed on the part of the Senate: Senators Regan, Rawlins, Poage, Small, and Woodruff.

The Senate has passed

H. B. No. 43, A bill to be entitled "An Act creating a District Court for Montgomery County, Texas, constituted and to be known as the One Hundred and Twenty-seventh Judicial District Court of Texas; prescribing the terms of said court, fixing the duration of this Act; and declaring an emergency." (With amendments.)

The Senate has adopted conference committee report on Senate Bill No. 492 by the following vote: Yeas, 27; nays, 0.

The Senate has adopted conference committee report on House Bill No. 442 by the following vote: Yeas, 21; nays, 4.

The Senate has adopted conference committee report on House Bill No. 47 by viva voce vote.

Respectfully,

BOB BARKER,
Secretary of the Senate.

HOUSE BILL NO. 925 ON PASSAGE TO ENGROSSMENT

The Speaker laid before the House, as pending business, on its second reading and passage to engrossment,

H. B. No. 925, a bill to be entitled "An Act to invest within the Board of Control the authority to make such oil and gas or mineral lease of certain land in Polk County, Texas, now owned and occupied by the Alabama and Coushatti Indians; providing for notice to be given of intention to make such lease; providing for lease to be let for highest sum offered, and for the money, so received in payment of lease, to be placed in the State Treasury to the credit of the said Indians, to be spent by and within the discretion of the Board of Control; and declaring an emergency";

The bill having heretofore been read second time, with committee amendment by Mr. McClain, and amendment by Mr. Wagstaff to the committee amendment, pending.

Mr. Wagstaff withdrew the pending amendment.

Mr. Lindsey offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 925 by adding a new Section, to be known as "Section 3-a," as follows:

"Section 3-a. Since the days of the Republic of Texas, the State of Texas has acted as guardian and trustee of the persons and estates of the Alabama and Coushatti Tribes of Indians, now living in Polk County, Texas, on lands heretofore set apart to said tribes for a home for such Indians, and it is the purpose and intent of this Legislature to continue such policy, and it is hereby declared to be the permanent public policy of the State of Texas to continue to act as guardian and trustee, both for the persons and estates, of said tribes so long as they shall remain in the State of Texas as inhabitants thereof."

The amendment was adopted.

Mr. Lindsey offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 925 by striking out Section 3 of said amendment, and inserting a new Section, to be numbered Section 3, as follows:

"Section 3. All income from pipe line rights of way easements, or from oil and gas leases and development, either as bonuses, rentals, or royalties, or otherwise, shall be deposited in the State Treasury in a special permanent fund, to be known as the 'Alabama and Coushatti Indian Fund,' and shall be forever held and retained as a permanent fund for the use and benefit of said Indians, and said permanent fund shall be invested by the State Depository Board under the terms and conditions of Chapter 231, General Laws, Regular Session, Forty-second Legislature, and the income derived therefrom shall be used for the support, maintenance, and education of said tribes of Indians; said support and maintenance to include the construction of homes or other necessary improvements."

The amendment was adopted.

The committee amendment as amended was then adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House Bill No. 925 was then passed to engrossment.

HOUSE BILL NO. 925 ON THIRD READING

Mr. McClain moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 925 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—100

Adamson.	Leonard.
Aikin.	Lindsey.
Alexander.	Long.
Alsup.	Lotief.
Anderson	Magee.
of Johnson.	Mackay.
Baker.	McClain.
Barrett.	McCullough.
Barron.	McKee.
Bedford.	Mitcham.
Bourne.	Moffett.
Bradley.	Moore.
Burns.	Morrison.
Calvert.	Morse.
Canon.	Nicholson.
Cathey.	Palmer.
Caven.	Parkhouse.
Celaya.	Patterson.
Chastain.	Pavlica.
Colson.	Pope.
Cowley.	Puryear.
Daniel.	Ramsey.
Davidson.	Ratliff.
Dean.	Ray.
Dunlap.	Reed of Bowie.
Fain.	Reed of Dallas.
Ford.	Renfro.
Fuchs.	Riddle.
Glass.	Roberts.
Golson.	Rogers of Hunt.
Good.	Rogers of Ochiltree.
Goodman.	Rollins.
Graves.	Ross.
Greathouse.	Russell.
Griffith.	Savage.
Haag.	Scarborough.
Hankamer.	Scott.
Harman.	Shannon.
Harris.	Steward.
Hester.	Stinson.
Holland.	Stovall.
Hughes.	Tennyson.
Hyder.	Thomas.
Jackson.	Townsend.
James.	Turlington.
Jones of Atascosa.	Van Zandt.
Jones of Runnels.	Wagstaff.
Jones of Shelby.	Walker.
Kyle of Hays.	Winningham.
Laird.	Wood.
Latham.	

Nays—2

Tarwater.

Vaughan.

Absent

Beck.	Huddleston.
Butler.	Hunt.
Camp.	Jefferson.
Clayton.	Johnson
Crossley.	of Anderson.
Dunagan.	Kayton.
Duvall.	Kyle of Palo Pinto.
Engelhard.	McGregor.
Few.	Merritt.
Harrison.	Metcalfe.
Hartzog.	Munson.
Head.	Smith.
Hicks.	Tillery.
Holekamp.	Wells.
Holloway.	Young.
Hoskins.	

Absent—Excused

Anderson	Johnson
of Bexar.	of Dimmit.
Coombes.	Lemens.
Devall.	Mathis.
Dwyer.	McDougald.
Fisher.	Reader.
Hill of Brazoria.	Shults.
Hill of Webb.	Stanfield.
Hodges.	Sullivant.
	Weinert.

The Speaker then laid House Bill No. 925 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—100

Adamson.	Glass.
Aikin.	Golson.
Alexander.	Good.
Alsup.	Goodman.
Anderson	Graves.
of Johnson.	Greathouse.
Baker.	Griffith.
Barrett.	Haag.
Barron.	Hankamer.
Beck.	Harman.
Bedford.	Harris.
Bourne.	Hester.
Bradley.	Hill of Brazoria.
Burns.	Holekamp.
Calvert.	Holland.
Canon.	Hughes.
Cathey.	Hyder.
Caven.	Jackson.
Celaya.	James.
Chastain.	Jones of Atascosa.
Colson.	Jones of Runnels.
Cowley.	Jones of Shelby.
Crossley.	Kyle of Hays.
Daniel.	Laird.
Davidson.	Latham.
Dean.	Leonard.
Fain.	Lindsey.
Ford.	Long.
Fuchs.	Lotief.

Magee.	Roberts.
McClain.	Rogers of Hunt.
McCullough.	Rollins.
McKee.	Russell.
Mitcham.	Savage.
Moffett.	Scarborough.
Moore.	Scott.
Morrison.	Shannon.
Morse.	Steward.
Nicholson.	Stinson.
Palmer.	Stovall.
Patterson.	Tennyson.
Pavlica.	Thomas.
Pope.	Townsend.
Puryear.	Turlington.
Ramsey.	Van Zandt.
Ratliff.	Wagstaff.
Ray.	Walker.
Reed of Bowie.	Wells.
Reed of Dallas.	Winningham.
Renfro.	Wood.
Riddle.	

Nays—1

Vaughan.

Present—Not Voting

Merritt.

Absent

Butler.	Johnson
Camp.	of Anderson.
Clayton.	Kayton.
Dunlap.	Kyle of Palo Pinto.
Dunagan.	Mackay.
Duvall.	McGregor.
Engelhard.	Metcalfe.
Few.	Munson.
Harrison.	Parkhouse.
Hartzog.	Rogers
Head.	of Ochiltree.
Hicks.	Ross.
Holloway.	Smith.
Hoskins.	Tarwater.
Huddleston.	Tillery.
Hunt.	Young.
Jefferson.	

Absent—Excused

Anderson	Lemens.
of Bexar.	Mathis.
Coombes.	McDougald.
Devall.	Reader.
Dwyer.	Shults.
Fisher.	Stanfield.
Hill of Webb.	Sullivant.
Hodges.	Weinert.
Johnson of Dimmit.	

HOUSE BILL NO. 241 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 241, A bill to be entitled "An Act making appropriations to pay miscellaneous claims against the State and authorizing payment of

said miscellaneous items on taking effect of this Act, and declaring an emergency."

The bill was read third time.

Mr. Alsup offered the following amendment to the bill:

Amend House Bill No. 241 by adding a new Section, to read as follows:

"And there is hereby appropriated \$25,000 for the purpose of exterminating bitter weeds in the State of Texas, thereby keeping milk from becoming bitter."

Mr. Morse raised a point of order on further consideration of the amendment, on the ground that the amendment is not germane to the bill.

The Speaker sustained the point of order.

House Bill No. 241 was then passed by the following vote:

Yeas—54

Anderson	McClain.
of Johnson.	McCullough.
Baker.	McKee.
Barron.	Moore.
Bedford.	Morse.
Burns.	Nicholson.
Colson.	Patterson.
Daniel.	Pavlica.
Davidson.	Pope.
Dean.	Ratliff.
Dunlap.	Ray.
Dwyer.	Renfro.
Ford.	Roberts.
Fuchs.	Rollins.
Golson.	Ross.
Greathouse.	Savage.
Griffith.	Shannon.
Haag.	Steward.
Hankamer.	Stovall.
Hill of Brazoria.	Tarwater.
Holekamp.	Thomas.
Holland.	Townsend.
Hughes.	Van Zandt.
Hunt.	Wagstaff.
Hyder.	Wells.
Jones of Shelby.	Winningham.
Long.	Young.
Mackay.	

Nays—40

Adamson.	Cowley.
Aikin.	Crossley.
Alexander.	Fain.
Alsup.	Glass.
Barrett.	Good.
Bourne.	Goodman.
Calvert.	Graves.
Canon.	Harman.
Cathey.	Hester.
Caven.	Jackson.
Chastain.	James.

Jones of Runnels.	Puryear.
Latham.	Reed of Bowie.
Leonard.	Reed of Dallas.
Lindsey.	Rogers of Hunt.
Lotief.	Russell.
Magee.	Scarborough.
Merritt.	Turlington.
Mitcham.	Vaughan.
Palmer.	Walker.

Present—Not Voting

Mr. Speaker.	Celaya.
Bradley.	Kyle of Hays.
Camp.	Riddle.

Absent

Beck.	Kayton.
Butler.	Kyle of Palo Pinto.
Clayton.	Laird.
Dunagan.	McGregor.
Duvall.	Metcalf.
Engelhard.	Moffett.
Few.	Morrison.
Harris.	Munson.
Harrison.	Parkhouse.
Hartzog.	Ramsey.
Head.	Rogers
Hicks.	of Ochiltree.
Holloway.	Scott.
Hoskins.	Smith.
Huddleston.	Stinson.
Jefferson.	Tennyson.
Johnson	Tillery.
of Anderson.	Wood.
Jones of Atascosa.	

Absent—Excused

Anderson	Lemens.
of Bexar.	Mathis.
Coombes.	McDougald.
Devall.	Reader.
Fisher.	Shults.
Hill of Webb.	Stanfield.
Hodges.	Sullivant.
Johnson	Weinert.
of Dimmit.	

PAIRED

Mr. Kyle of Hays (present), who would vote "nay," with Mr. Colson (absent), who would vote "yea."

NOTICES GIVEN

Notices were given that motions would be made to call up, on next Monday, all bills which have heretofore been laid on the table subject to call.

Mr. Bradley gave notice that he would, on next Monday, call up the motion to reconsider the vote by which the House adopted the conference committee report on Senate Concurrent Resolution No. 71.

RECESS

On motion of Mr. Wells, the House, at 5 o'clock p. m., took recess to 9 o'clock a. m., next Monday.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Appropriations: Senate Bills Nos. 414, 479, 569, and 570.

Game and Fisheries: Senate Bills Nos. 514, 563, and 546.

Conservation and Reclamation: House Bill No. 954.

Insurance: Senate Bill No. 283.

Education: Senate Bills Nos. 163 and 543.

Judicial Districts: House Bill No. 956 and Senate Bill No. 567.

Municipal and Private Corporations: Senate Bill No. 161.

Claims and Accounts: House Bill No. 364.

State Affairs: Senate Bill No. 383.

The Committee on Highways and Motor Traffic filed an adverse report on Senate Bill No. 562.

The Committee on State Affairs filed adverse reports, with minority favorable reports, on Senate Bills Nos. 370 and 491.

REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,

Austin, Texas, May 27, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 250, A bill to be entitled "An Act to amend Article 1064 of the Penal Code of the State of Texas of 1925, so as to include milk bottle cases; (Relating to injuring milk containers, etc.); and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

PARKHOUSE, Acting Chairman.

Committee Room,

Austin, Texas, May 27, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 251, A bill to be entitled "An Act to amend Article 1065 of the Penal Code of the State of Texas of 1925, so as to include milk bottle cases; (Relating to ownership of milk containers, etc.); and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

PARKHOUSE, Acting Chairman.

Committee Room,

Austin, Texas, May 27, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 560, A bill to be entitled "An Act providing for the issuance of patents, under certain conditions, to lands and accretions thereto, heretofore claimed by New Mexico to be in that State, but determined by the Supreme Court of the United States, in its decree of April 9, 1928, to be within the State of Texas, and prescribing the considerations and the conditions necessary for the issuance of such patents, and the manner of such issuance and the provisions to be contained in such patents, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

PARKHOUSE, Acting Chairman.

Committee Room,

Austin, Texas, May 27, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 249, A bill to be entitled "An Act to amend Article 1063 of the Penal Code of the State of Texas of 1925, so as to include milk bottle cases, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

PARKHOUSE, Acting Chairman.

REPORT OF THE COMMITTEE ON
ENROLLED BILLS

Committee Room,
Austin, Texas, May 27, 1933.

Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. B. No. 847, "An Act making an appropriation of the sum of eight thousand two hundred and fifty dollars (\$8,250), or so much thereof as may be necessary, out of the County and Road District Highway Fund of the State of Texas, to pay the expenses incurred in the administration of Chapter 13, Acts of the Third Called Session of the Forty-second Legislature, and making an appropriation out of an unused balance heretofore appropriated for the construction of a State Highway Building out of the State Highway Fund for use by the State Board of Control until September 1, 1933, in installing equipment and files in basement of State Highway Building and in transferring, filing, and indexing valuable papers and records to be placed in said basement, and declaring an emergency,"

Has carefully compared same, and
finds it correctly enrolled.

ROGERS of Hunt, Chairman.

SEVENTIETH DAY

(Continued)

(Monday, May 29, 1933)

The House met at 9:30 o'clock a. m.,
and was called to order by Speaker
Stevenson.

HOUSE BILL NO. 947 ON SECOND
READING

(By Unanimous Consent)

The Speaker laid before the House,
on its second reading and passage to
engrossment,

H. B. No. 947, A bill to be entitled
"An Act repealing all local or special
laws, affecting the taking or sale of
fish, in so far as they pertain to An-
derson County; and declaring an emer-
gency."

The bill was read second time, and
was passed to engrossment.

HOUSE BILL NO. 947 ON THIRD
READING

Mr. Johnson of Anderson moved
that the constitutional rule, requiring
bills to be read on three several days,
be suspended, and that House Bill No.
947 be placed on its third reading and
final passage.

The motion prevailed by the follow-
ing vote:

Yeas—109

Adamson.	Johnson
Aikin.	of Anderson.
Alsup.	Jones of Atascosa.
Anderson	Jones of Runnels.
of Bexar.	Jones of Shelby.
Anderson	Kyle of Hays.
of Johnson.	Kyle of Palo Pinto.
Baker.	Laird.
Barrett.	Latham.
Barron.	Lindsey.
Beck.	Long.
Bourne.	Lotief.
Burns.	Mackay.
Calvert.	Magee.
Canon.	Mathis.
Cathey.	McClain.
Caven.	McCullough.
Celaya.	McKee.
Clayton.	Merritt.
Coombes.	Metcalfe.
Crossley.	Mitcham.
Daniel.	Moffett.
Davidson.	Moore.
Dean.	Morse.
Devall.	Nicholson.
Dunagan.	Palmer.
Engelhard.	Pope.
Fain.	Puryear.
Few.	Ramsey.
Ford.	Ratliff.
Fuchs.	Ray.
Glass.	Reader.
Golson.	Reed of Bowie.
Good.	Reed of Dallas.
Goodman.	Renfro.
Graves.	Rogers of Hunt.
Greathouse.	Rogers of Ochiltree.
Haag.	Rollins.
Hankamer.	Ross.
Harris.	Russell.
Head.	Savage.
Hester.	Shannon.
Hicks.	Shults.
Hill of Webb.	Smith.
Hodges.	Steward.
Holekamp.	Stinson.
Holland.	Stovall.
Hoskins.	Tarwater.
Hughes.	Tillery.
Hunt.	Townsend.
Hyder.	Vaughan.
Jackson.	Wagstaff.
James.	Walker.
Jefferson.	Weinert.